

By His Excellency Sir THOMAS BRISBANE, Knight Commander of the Most Honorable Military Order of the Bath, Captain General and Governor in Chief in and over His Majesty's Territory of New South Wales and its Dependencies.

**W**HEREAS by His Majesty's Commission, bearing Date the Third Day of February, in the Second Year of His Reign, His Majesty did give and grant unto me full Power and Authority to agree for such Lands, Tenements, and Hereditaments, as should be in His Majesty's Power to dispose of; and them to grant to any Person or Persons upon such Terms, and under such moderate Quit-Rents, Services, and Acknowledgments, to be thereupon reserved to His Majesty, according to such Instructions as should be given to me, under His Sign Manual, which said Grants were to pass, and be Sealed by His Majesty's Seal of His said Territory and its Dependencies; and being entered upon Record by such Officer or Officers as I should appoint thereunto, should be good and effectual in Law against His Majesty His Heirs, and Successors. AND WHEREAS by His Majesty's Instructions to me, under His Sign Manual, bearing Date the Fifth Day of February, in the Year of Our Lord One thousand eight hundred and twenty-one, and in the Second Year of his Reign, I am restricted from granting more than Thirty Acres of Land to each Emancipated Convict, Twenty Acres more in Case he shall be married, and Ten Acres for every Child who may be with him at the Settlement at the Time of making such Grant, without the Approbation of His Majesty.

KNOW ALL MEN BY THESE PRESENTS, that I, the said SIR THOMAS BRISBANE, in Pursuance of the Power and Authority so given and granted unto me as aforesaid, have Given and Granted, and by these Presents do Give and Grant, unto

*Thomas Ayle* his Heirs and Assigns, all those *Eighty* Acres of Land, situate, lying, and being in the County of *Roxburgh* and Township of *Helso*, Bounded on the North by *John Blackman's Farm*, on the East by a line South  $29\frac{1}{4}$  East Thirteen Chains, on the South by a line West 30 South Sixty Chains Seventy links to *Macquarie River* and on the West by that River:

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saving and reserving to His Majesty, His Heirs and Successors, such Timber as may be growing, or to grow hereafter, upon the said Land, which may be deemed fit for Naval Purposes; also such Parts of the said Land as are now, or shall hereafter, be required, by the proper Officer of His Majesty's Government, for a Highway or Highways, To have and to hold the said Land hereby granted to the said *Thomas Lyle* and his Heirs and Assigns, for ever; free from all Taxes, Quit-Rents, Services, and Acknowledgments whatsoever, for the Period of Five Years from the Date of these Presents; but from and after the Expiration of the said Term or Time, yielding and paying therefore to His Majesty, His Heirs, and Successors, the Quit-Rent or Sum of *one Shilling* of lawful Sterling Money, yearly, and every Year, for ever. Provided always, and it is hereby expressly stipulated, that so much of the aforesaid *Eighty* Acres of Land hereby granted, as exceeds the Quantity I am enabled to Grant to the said *Thomas Lyle* under the before-recited Instructions, is to be considered as granted subject to the Approbation of His Majesty, His Heirs and Successors: And Provided always, and it is hereby expressly stipulated, that the said *Thomas Lyle* and his Heirs, shall in no Wise, either directly or indirectly, sell, aliene, assign, transfer, or set over the said Land hereby granted, or any Part or Parcel thereof, within the said Term of Five Years: And provided always, that the said *Thomas Lyle* and his Heirs, shall clear and cultivate, or cause to be cleared and cultivated, within the said Term of Five Years, the Quantity of *Eighteen* Acres of the said Land hereby granted: Otherwise the Whole of the said Land hereby granted shall become forfeit and escheat to His Majesty, His Heirs, and Successors, and these Presents shall be held and deemed null and void.

In Witness whereof, I have hereunto set my Hand, and the Seal of the Territory, at Sydney, in New South Wales, this *thirtieth* Day of *June* in the Year of Our Lord One thousand eight hundred and twenty *Three*

Signed and Sealed in our Presence,

*Signed / Rob: Crawford*

*Signed / Tho: Brisbane*

*W. Elward Junr*

*L. S.*

*John Goulburn*  
*20th Day of June 1823*

3rd JULY 2003