

Court, Chancery Division, made and dated the 26th day of September, 1918, in an action therein pending between Ernest Frederic Sullivan; Ernest Edward Shaw, and Edmund Freeman, Plaintiffs, and The Swedish Canadian Lumber Company, Limited; Eastern Trust Company; Billett, Campbell & Grenfell; Allan A. Davidson, and The Swedish Canadian Lenders, Limited, Defendants, the lands, premises and property in the said Decree, described as follows:

All and singular the following lands and premises situate, lying and being in the County of Kent, in the Province of New Brunswick, and bounded and described as follows, viz:

All that certain lot of land and premises situate, lying and being in the village of Hexton, in the said County of Kent, on the south side of the Richibucto River, being all the lands and premises now in possession of the said grantors, whereon the sawmill is now standing, and known as the Jardine mill property, containing by estimation six acres more or less, and more particularly described as follows: Bounded on the north by the channel of the Richibucto River, on the south by the mill road which runs east and west, on the west by lands now in the possession of J. & W. Brait, and extending eastwardly as far as the stake on the north side line of A. Fraser Junior's land.

Also a strip of land running back ten feet from high water of Beattie's Creek and Richibucto River, extending from the western side of the breakwater at the mouth of the said Beattie's Creek eastwardly about half a mile up the said Beattie's Creek and including the said breakwater and the land whereon the same is situate and all the land covered with the waters of the said Beattie's Creek in and to which the Grantors have any interest or title, lying in front of the strip of land just described.

The rights and interest formerly of one James B. Russ, an insolvent, in these certain pieces and parcels of land, situate in Island Creek, so called, in the Parish of Carleton, in the said County of Kent, known as the Saunders and Porteous mill property, together with the mill and gear, the same belonging, being the same property conveyed by one James Potter to William S. Call on the twenty-fifth day of July, A. D. 1864.

Also a certain other piece of land situate in the said Parish of Carleton, containing one hundred acres more or less, conveyed to the said James Potter by deed bearing date the first day of November, A. D. 1868, and duly recorded in the registry of deeds and wills in and for the said County of Kent, Book "T," page 384; also that certain other piece of land situate in the said Parish conveyed to the said James Potter by Charles J. Sayre by deed dated March 20, A. D. 1869, and recorded in Book "S," page 267, reference being had to the registry of this conveyance the particulars and description will fully and at large appear, being the same several pieces of land and mill property conveyed to Hazen Russ and James B. Russ as tenants in common by deed dated the 11th day of September, 1873, and registered in the Kent County Records, Libro "D," page 627, No. 10776, the thirteenth day of September, 1873; save and except from the operation of this conveyance that piece of land being the portion of the above described premises heretofore conveyed by the said Hazen Russ and James B. Russ to the said James Potter, the land hereby conveyed being all the property released and conveyed by the said Hazen Russ to the said James B. Russ, the said insolvent, by deed bearing date the 2nd day of April, 1878.

Also that certain lot or tract of land situate, lying and being in the Parish of Carleton, in the said County of Kent, and bounded as follows, to wit: Beginning at the stake standing at the southwestern angle of lot twenty-two, purchased by Joseph Grogan, in lot eleven, thence north two degrees east fifty-one chains to another stake, thence north eighty-eight degrees twenty chains to a spruce tree, thence south two degrees west fifty-one chains to a dry spruce tree, and thence south eighty-eight degrees and twenty chains to the place of beginning, containing one hundred acres, more or less, and distinguished as lot number twenty-three in Block eleven, being that tract of land granted by the Crown to James Grogan by letters patent bearing date the first day of April, A. D. 1870.

Also all that portion or parcel of land situate, lying and being in the said Parish of Carleton between the highway on the south side of the Kouchibouguac river and the said river, described as follows: Being the west part or west end of the farm now or formerly occupied by one John Jardine and wife by deed dated the eighth day of October, A. D. 1890, this piece conveyed to contain by estimation twenty acres more or less, and adjoining the land of Daniel Martine on the west side thereof and to be divided by a line running parallel with the north and south lines of the said farm, to commence at a stake at a road and to run to the river, said stake to be placed about eighteen feet east of the green spruce tree in the said lot hereby conveyed nearly opposite the barn on Jardine's property across the said road.

Also all that certain piece or parcel of land situate in the said County of Kent and described as follows: Beginning lying and being in the Parish of Acadieville at a point on the northwestern bank or shore of the north fork of the McInnes Brook which is distant one course by a magnet of the year 1860 five chains from a hemlock tree standing at the southwestern angle of Block Eleven, range nine, thence north twenty chains to a juniper tree, thence west fifty chains to a stake, thence south twenty chains and thence east fifty chains to the place of beginning, containing one hundred acres more or less and distinguished as lot Number 140 on the north fork of the McInnes Brook.

Also all and singular that certain lot or parcel of land and premises situate lying and being in the Parish of Carleton in the said County of Kent, bounded as follows, that is to say, Beginning at a spruce tree standing on the northwest angle of lot on the west side of the old post road Island Brook granted to Peter Vantour, thence running by the magnet south one degree and thirty minutes west thirty three chains and fifty links to a spruce tree, thence north eighty-eight degrees and thirty minutes west thirty two chains to a stake, thence south eighty-eight degrees and thirty minutes east twenty-one chains and fifty links to a spruce tree, thence north one degree and thirty minutes east three chains to a stake and thence

south eighty-eight degrees and thirty minutes east ten chains and fifty links to the place of beginning, containing one hundred acres more or less distinguished as Lot "T". Also all mills, buildings, plant, machinery and equipment on said properties or any of them; Also all leasehold properties and leases connected therewith and all booming rights, rights of way, and similar rights and privileges connected therewith.

Also all and singular the timber license of the said Grantors or held or possessed by or for them in the name of the Royal Bank of Canada, or any other person or persons in trust or otherwise situate in the County of Kent aforesaid and consisting of about one hundred and nine and one half square miles situate on the Kouchibouguac and Kouchibouguac Rivers and their tributaries and hereinafter more particularly enumerated and described as follows:—

No. of License.	Sq. Miles.	Situation and Description.
2367	3	S. E. of Bay du Vin River.
2368	3	E. of Bay du Vin River, below Richibucto road.
2369	2½	Bay du Vin River.
2370	7½	East of Bay du Vin River
2371	2	Portage River, Kent county.
2372	2	Portage River, Kent county.
2373	2	Portage River, Kent county.
2374	2	Portage River.
2375	2½	Portage River, Kent county.
2376	2	Kollock's Creek (near mouth of Kouchibouguac).
2377	2	Polly's Creek, branch of Lesser Kouchibouguac.
2378	2	Black River, Kent county.
2379	3	Carigan's Creek, branch Black River, Kouchibouguac.
2380	10	Black River (Kent county).
2381	4½	North of McInnes Brook Branch of Kouchibouguac River.
2382	9	Tweedie's Brook, Branch Kouchibouguac River.
2383	3	West of Tweedie's Brook and north of McInnes.
2384	2	North of Kouchibouguac River.
2385	2	South of Kouchibouguac River.
2386	1	North of Kouchibouguac R., near mouth.
2387	6	Head Kouchibouguac River.
2388	4	North of Kouchibouguac River.
2389	7	Kouchibouguac River.
2390	2½	North of Kouchibouguac River.
2391	6½	Kouchibouguac River.
2392	6½	Head of Kouchibouguac River.
2393	4½	North of Kouchibouguac River.
2394	2½	Between Kouchibouguac and Kouchibouguac.

being the license number and description of the licenses expiring August 1st, 1918.

Also the following licenses to cut lumber in the County of Kent in the Province of New Brunswick, which were issued by the said Province to the said William O'Leary, bearing date the second day of August One thousand and nine hundred and nine, which said licenses, the numbers thereof and the number of miles of land over which they give the licenses to cut are as follows:—

No. of License.	Sq. Miles.	Situation and Description.
2344	5½	S. Branch of Kouchibouguac River.
2345	3	Kouchibouguac River.
2346	3½	Head of Kouchibouguac River.
2347	6	S. of Kouchibouguac River.
2348	6	N. of Kouchibouguac River.
2349	6	Head of Kouchibouguac River.
2350	4	Kouchibouguac River.
2351	9	Kouchibouguac River and north of same
2352	4½	North of Kouchibouguac River.
2353	3	S. Side of Kouchibouguac River.
2353A	5½	Kouchibouguac River.
2354	5½	Kouchibouguac River.
2355	3	Kouchibouguac River.
2356	6	Kouchibouguac River.
2357	5½	S. of Kouchibouguac River.
2358	7½	H. of Kouchibouguac River.
2359	10	Kouchibouguac River.

being the license number and description of the licenses expiring August 1st, 1918.

Also all that lot of land described in a deed from one Keady O'Leary and wife to the Kent Lumber Company bearing date twenty-second day of September, A. D. 1893, and registered in the Office of the Registrar of Deeds in Book G. No. 2 of Records page 516.

Also Lot No. 56 Tweedie Brook settlement, and being the lot of land and premises conveyed to the said Richard O'Leary by Placide Vantour by deed dated the twenty-fourth day of June, A. D. 1910, and registered in the records of the County of Kent in Book C. No. 3 on pages 148, 149 and 150.

All the right, title and interest of the said Company of, in to and under and by virtue of the several lumber leases or agreements mentioned and referred to and assigned to the said Company by the said Richard O'Leary by Deed of Assignment bearing date the twenty-third day of June, A. D. 1911, that is to say:—

That certain lease or agreement bearing date the twenty-third of November, A. D. 1910 and made by Daniel Sullivan of the First Part and the said Richard O'Leary of the other Part, conveying to the said Richard O'Leary the right to cut and haul lumber from off the lands described in said lease or agreement for the period of four years from the date of the said lease or agreement.

That certain lease or agreement bearing date the sixteenth day of September, A. D. 1909, made by Pierre Babineau of the First Part and the said Richard O'Leary of the other part, conveying to the said Richard O'Leary the right to cut and haul lumber from off the lands described in said lease or agreement.

That certain lease or agreement bearing date the seventeenth day of November, A. D. 1909, made by Mrs. Mary Flangan