

JEAN C. MacPHERSON, Q.C.

BARRISTER, SOLICITOR
NOTARY PUBLIC

TELEPHONE 863-2925
AREA CODE 902

P.O. BOX 1298
~~XXXXXXXXXXXXXXXXXXXX~~
West Street
ANTIGONISH, NOVA SCOTIA

December 23, 1976

Rod MacInnis, Esq.
473 Broadview Avenue
Toronto
Ontario

Dear Mr. MacInnis:

Re: Land at Cape George, Antigonish
County

I am enclosing a copy of a Statutory Declaration of Hugh G. MacDonald which has been registered in the Registry of Deeds at Antigonish relevant to lands of Albert MacEachern. The particular parcel of land adjacent to yours is shown on the attached plan.

Please advise me immediately if you are disputing or challenging the ownership or boundary lines of this particular parcel because in such case the matter would have to go to Court. If not, this will settle the boundary lines of this parcel as the plan has been prepared by H.J. Sullivan a Nova Scotia Land Surveyor and is prepared from old markings which were clearly evident.

Sincerely yours,

Jean C. MacPherson
Jean C. MacPherson

bjp

Enclosure

CANADA)
PROVINCE OF NOVA SCOTIA)
COUNTY OF ANTIOGNISH SS)

IN THE MATTER OF a certain lot of land situate at Cape George Point, in the County of Antigonish, Province of Nova Scotia and described now or formerly as follows, that is to say:

BOUNDED towards the North by lands of Duncan Martin MacDonald and lands of John Hugh MacInnis;

BOUNDED towards the East by lands of William MacInnis and lands of David MacDonald and towards the South and West by lands formerly owned by Lauchlin MacEachern containing Twenty-Five (25) acres more or less

Said described lot of land is hereinafter referred to as Lot "A".

Also included in this parcel is a lot shown on a plan marked "Schedule B" attached hereto.

I, HUGH GABRIEL MacDONALD, of St. Ninian Street, in the Town of Antigonish, Province of Nova Scotia, Retired Farmer, formerly of Cape George Point in said County of Antigonish

DO SOLEMNLY DECLARE

1. THAT I was born at Cape George, in the said County of Antigonish, on February 25, 1899 and lived at Cape George all my life until I moved to the Town of Antigonish about ten years ago.
2. THAT I knew all the residents of Cape George Point personally since my childhood and I have a firm recollection which I have carried forward to this date, concerning relationships and places of residence and ownership of property in the Cape George area.
3. THAT I knew Ronald Lewis MacEachern well and recall the date of his death, June 11, 1952.
4. THAT I am informed and verily believe that Ronald Lewis MacEachern was a son of Lewis MacEachern.
5. THAT Lewis MacEachern was a son of Alexander MacEachern and I am informed that Alexander had one other son, Donald and a daughter, Margaret.
MacEachern
6. THAT Alexander/died intestate and that the property was divided between his son Donald who occupied the Northern part of the farm (now or formerly owned by William MacInnis) and Lewis who occupied the Southern part. Margaret claimed ownership to a part of the property also. The property occupied by Lewis MacEachern described in Schedule "A" herein.
7. THAT Lewis MacEachern had several sons and daughters but he gave the property he occupied consisting of approximately Forty (40) acres to his son Ronald Lewis MacEachern.
8. THAT Margaret MacEachern devised her interest in the property to said Ronald Lewis MacEachern by her last Will and Testament which is recorded in the Registry of Deeds at Antigonish, Nova Scotia on December 1, 1898 in Book 56, page 99.
9. THAT Donald who occupied the Northern part of Alexander's property had three sons all of whom died at an early age. Only one son, John MacEachern, was married. He had no children and when he died his wife left Cape George

MacInnis and lands of John Hugh MacInnis;
BOUNDED towards the East by lands of William
MacInnis and lands of David MacDonald and towards the South
and West by lands formerly owned by Lauchlin MacEachern
containing Twenty-Five (25) acres more or less

Said described lot of land is hereinafter referred
to as Lot "A".

Also included in this parcel is a lot shown on a
plan marked "Schedule B" attached hereto.

I, HUGH GABRIEL MacDONALD, of St. Ninian Street, in
the Town of Antigonish, Province of Nova Scotia, Retired
Farmer, formerly of Cape George Point in said County of
Antigonish

DO SOLEMNLY DECLARE

1. THAT I was born at Cape George, in the said County
of Antigonish, on February 25, 1899 and lived at Cape George
all my life until I moved to the Town of Antigonish about ten
years ago.
2. THAT I knew all the residents of Cape George Point
personally since my childhood and I have a firm recollection
which I have carried forward to this date, concerning relation-
ships and places of residence and ownership of property in the
Cape George area.
3. THAT I knew Ronald Lewis MacEachern well and recall
the date of his death, June 11, 1952.
4. THAT I am informed and verily believe that Ronald
Lewis MacEachern was a son of Lewis MacEachern.
5. THAT Lewis MacEachern was a son of Alexander
MacEachern and I am informed that Alexander had one other son,
Donald and a daughter, Margaret.
MacEachern
6. THAT Alexander/died intestate and that the property
was divided between his son Donald who occupied the Northern
part of the farm (now or formerly owned by William MacInnis)
and Lewis who occupied the Southern part. Margaret claimed
ownership to a part of the property also. The property oc-
cupied by Lewis MacEachern described in Schedule "A" herein.
7. THAT Lewis MacEachern had several sons and daughters
but he gave the property he occupied consisting of approximately
Forty (40) acres to his son Ronald Lewis MacEachern.
8. THAT Margaret MacEachern devised her interest in the
property to said Ronald Lewis MacEachern by her last Will and
Testament which is recorded in the Registry of Deeds at
Antigonish, Nova Scotia on December 1, 1898 in Book 56, page 99.
9. THAT Donald who occupied the Northern part of
Alexander's property had three sons all of whom died at an
early age. Only one son, John MacEachern, was married. He
had no children and when he died his wife left Cape George, and
never returned. Donald's part of the property consisting of
Sixty acres was occupied by John (Jack) MacEachern, a son of
Lewis MacEachern. He went to Western Canada where he was killed
in 1914. George McEachern, another son of Lewis succeeded his
brother Jack in occupying the said Sixty (60) acre Southern
part. He conveyed the said property to William McInnis, in 1923.

- 10. THAT Lewis MacEachern died in 1905.
- 11. THAT Ronald Lewis MacEachern was in open, actual, visible, continuous, exclusive, notorious, uninterrupted and sole possession of said Lot "A" from my earliest recollection which was January, 1905, the time of the death of Ronald Lewis MacEachern.
- 12. THAT Ronald Lewis MacEachern occupied the field shown in the plan attached hereto and marked Schedule "B" in open, actual, visible, continuous, exclusive, notorious, uninterrupted and sole possession to my personal knowledge for over fifty years.
- 13. THAT Ronald Lewis MacEachern devised his property to his son, Thomas Joseph MacEachern by his Will dated March 10, 1952 registered on July 28, 1952.
- 14. THAT Thomas Joseph MacEachern, unmarried, conveyed the said property "containing twenty-five (25) acres more or less" to his brother, Colin D. MacEachern by deed dated May 7, 1963 registered in the Registry of Deeds on May 10, 1963 in Book 100, page 633.
- 15. THAT Colin D. MacEachern conveyed to Albert MacEachern a portion of said lands including the parcel shown on the plan marked Schedule B herein.

And I make this solemn declaration conscientiously believing the same to be true and knowing that is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

DECLARED BEFORE ME, at)
 Antigonish, in the County)
 of Antigonish, Province)
 of Nova Scotia this 14th)
 day of October, A.D., 1976)

Jean C. MacPherson)
 A COMMISSIONER OF THE SUPREME)
 COURT OF NOVA SCOTIA)
 Jean C. MacPherson, Q.C.)

Hugh Gabriel MacDONALD
 HUGH GABRIEL MacDONALD

Province of Nova Scotia
 County of Antigonish

I hereby certify that the within instrument was recorded in the Registry of Deeds Office at Antigonish, in the County of Antigonish, N.S. at 1:30 o'clock P. M., on the 28th day of October A. D. 1976 in Book Number 144 at Pages 150-152

[Signature]
 Registrar of Deeds for the Registration District of the County of Antigonish.

12. THAT Ronald Lewis MacEachern occupied the field shown in the plan attached hereto and marked Schedule "B" in open, actual, visible, continuous, exclusive, notorious, uninterrupted and sole possession to my personal knowledge for over fifty years.

13. THAT Ronald Lewis MacEachern devised his property to his son, Thomas Joseph MacEachern by his Will dated March 10, 1952 registered on July 28, 1952.

14. THAT Thomas Joseph MacEachern, unmarried, conveyed the said property "containing twenty-five (25) acres more or less" to his brother, Colin D. MacEachern by deed dated May 7, 1963 registered in the Registry of Deeds on May 10, 1963 in Book 100, page 633.

15. THAT Colin D. MacEachern conveyed to Albert MacEachern a portion of said lands including the parcel shown on the plan marked Schedule B herein.

And I make this solemn declaration conscientiously believing the same to be true and knowing that is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

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Antigonish, in the County)
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Jean C. MacPherson)
A COMMISSIONER OF THE SUPREME)
COURT OF NOVA SCOTIA)
Jean C. MacPherson, Q.C.)

Hugh Gabriel MacDonald
HUGH GABRIEL MacDONALD

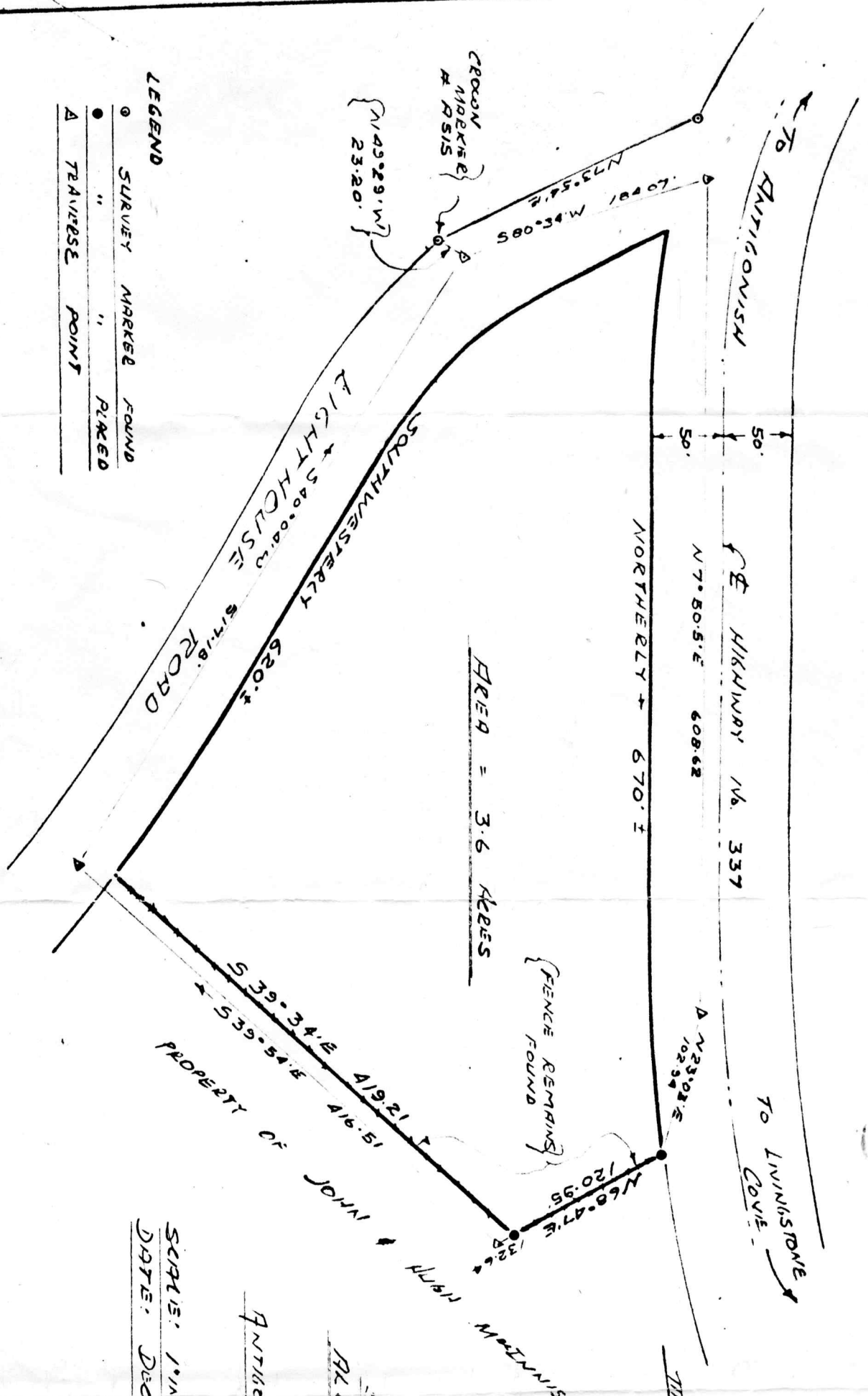
Province of Nova Scotia
County of Antigonish

3224-76
I hereby certify that the within instrument was recorded in the Registry of Deeds Office at Antigonish, in the County of Antigonish, N.S. at 1:30 o'clock P. M., on the 28th day of October A. D. 1976 in Book Number 144 at Pages 150-152

Hugh Gabriel MacDonald
Registrar of Deeds for the Registration District of the County of Antigonish.

LEGEND

- SURVEY MARKED FOUND
- " " PILED
- △ TRAVERSE POINT



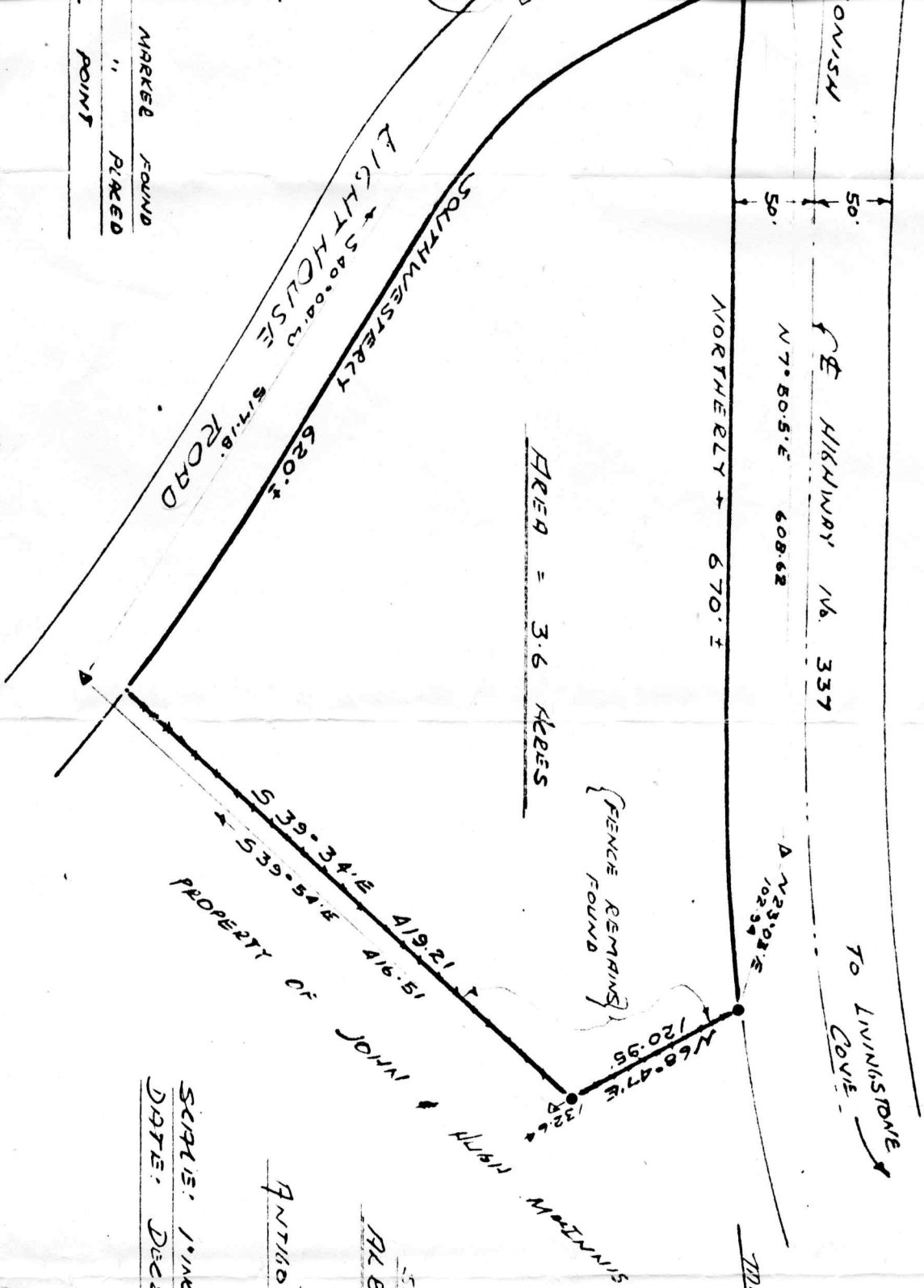
SCALE: 1 INCH = 100 FEET
 DATE: DECEMBER 3, 1973

PLR
 SHERMAN PER
 ALBERT MANNING
 AT
 CAPE
 ANTICOSTISLAND CO.

THOR, 1973



MARKS FOUND
 " PLACED
 POINT



AREA = 3.6 ACRES

PROPERTY OF JOHN HUGH MANNING'S

PLAN
 SHOWING PROPERTY OF
 ALBERT MACLEOD
 AT
 CAPE GEORGE
 ANTIPODISI CO. NOVA SCOTIA

SCALE: 1" = 100' (approx)
 DATE: DECEMBER 3, 1975



PLAN No. 74-115