

# Property on Kennebecasis Island

by Michael Gillen

## Introduction

This article deals primarily with land ownership on Kennebecasis Island from the time of the earliest Crown grants until present day for most of the larger acreage properties. Also included are brief histories of the Island's more prominent families. Information about the Island and its inhabitants has been gathered from the Kings County, New Brunswick deed books (containing copies or "memorials" of original deeds), maps and vital statistics databases maintained by the New Brunswick Provincial Archives, Canada Census records, newspaper articles, internet sources and Ancestry.ca files. Articles by James M.F. Keith ("The Keith Family - A Brief History", prepared in 1991) and Tony LeBlanc ("Some Descendants of James Keefe, Loyalist of Kennebecasis Island, N.B." as published in 1996 in "Generations" - the Journal of the New Brunswick Genealogical Society - Vol. 18, no. 4) provided background material on the Keefe/Keith family. Further information on the Hutchings family was furnished by Eric (Rick) Burwen, a Hutchings descendant. Audrey Ferris (née Keith), through conversations and written material, offered a glimpse into what it was like to live year-round on the Island. Mrs. Ferris and her brother, James M.F. Keith, were the last children to be raised there.

## The Island

Kennebecasis Island is located at the southwest end of the Kingston Peninsula in Kings County, New Brunswick and is within the Parish of Westfield. It is bounded to the west by the St. John River and to the south by the Kennebecasis River (sometimes called, Kennebecasis Bay). To the east and north, the Island is separated from the Kingston Peninsula and the nearby communities of Bayswater and Summerville, by a narrow channel of water, variously called "Milkish Bay", "Milkish Cove", "Milkish Channel" or "Milkish Creek". The town of Grand Bay-Westfield is opposite the Island on the western side of the St. John River while the Millidgeville area of Saint John's North End is directly across the Kennebecasis River. The Island comprises about 1100 acres and is heavily forested except for those areas where farms were established in the mid to late 1800s.

## Earliest Crown grants

Thirteen (13) lots were laid out on Kennebecasis Island as a result of a survey carried out in the late 1700s. Lot 1 was on the end of the peninsula of land on the west side of what has since become known as McCormick Cove. The remainder of the lots were laid out proceeding clock-wise around the Island with lots 12 and 13 on the east side of McCormick Cove (see figure 1).

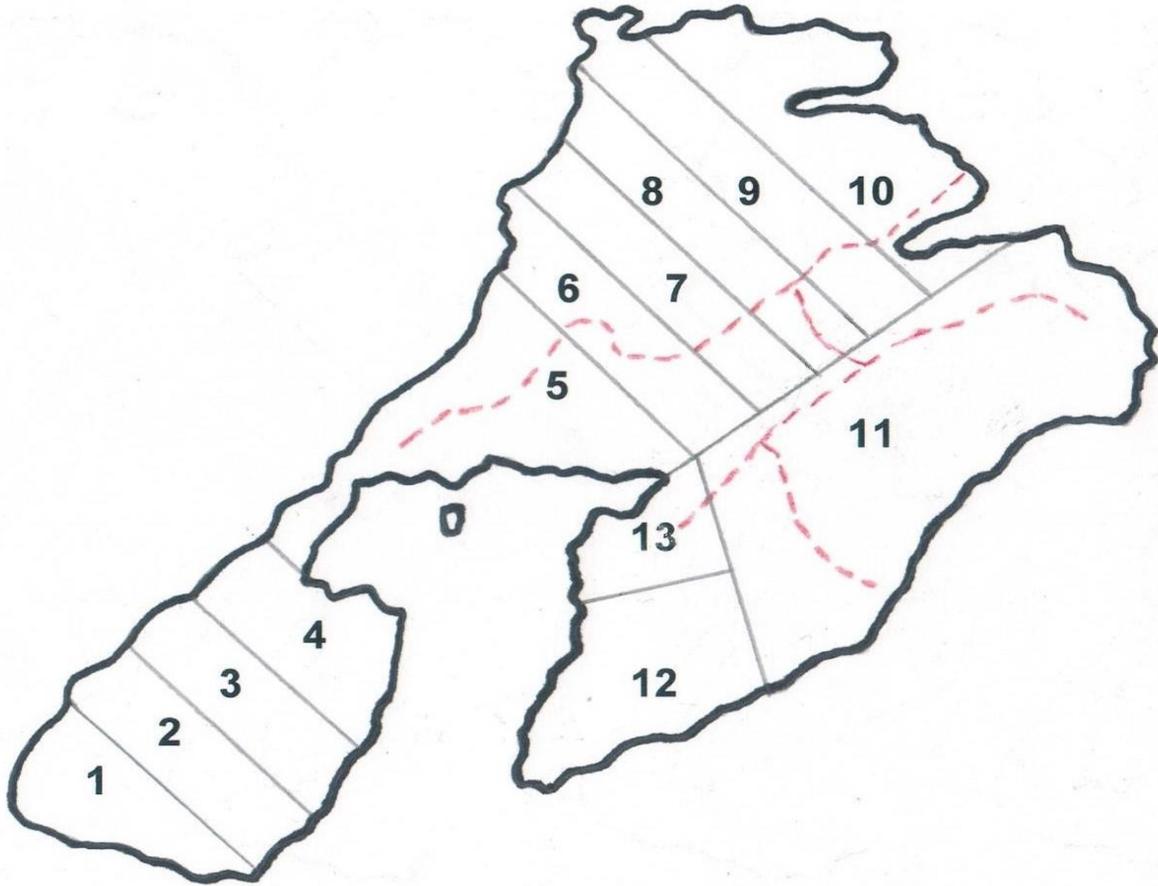


Figure 1 Lots on Kennebecasis Island following a survey in the late 1700s. Grey lines represent lot boundaries while the dashed lines are roads. The line separating lot 11 from lots 12 and 13 runs north-south by the compass. The inlet on the south side of the Island is McCormick Cove.

Ownership of lots 1-10 passed from the Crown to 10 grantees (most likely United Empire Loyalists) through a land grant dated October 13, 1785 (grant no. 10). The grantees (beginning with lot 1) were: Josiah Stone, John Watson, Robert Hustice, Lewis Frazee, Michael Butler, Joseph Wood, John Bough, Bernard Mullen, Jeremiah Mabee and Gilbert Merritt.

John Foster was granted lot 11 (the largest of the Island lots at 300 acres) on March 18, 1835 (grant no. 347). Lot 13 (30 acres) was granted to John McCormick on December 18, 1837 (grant no. 1383) while lot 12 (50 acres) was granted to Ralph McCormick on April 9, 1843 (grant no. 3017).

Other than the McCormicks, none of the original grantees, or their families, settled on the Island.

## First families

The first non-native known to inhabit the Island year-round was James Keefe, a Loyalist who arrived in Saint John with his family in 1783. In 1789, he purchased land on the Island and in 1807, successfully petitioned the Crown for additional acreage. In the petition, he stated that he had been living on the Island for 12 years and that his was the only family there. By the mid 1830s, the Charlton, McCormick, and Johnston families, among others, had joined the Keefes on the Island. When the first New Brunswick census was taken in 1851, there were about 80 people calling Kennebecasis Island home. However, the Island's permanent population did not grow thereafter. Although other families (e.g., Irvine, Adams, Morrow and Hutchings) came to live on the Island, many of the adult children of the original families left for Saint John or nearly New England. By 1891, the Island had fewer than 50 permanent residents and by the late 1940s, no one was living there year-round.

Kennebecasis Islanders farmed the land, fished the Island's waters and sold timber to the nearby saw mills. The Island's biggest cash crop was hay and there was a ready market for this in nearby Saint John. Other cash crops included potatoes, carrots, turnips, beets and apples. Horses, cows, pigs, hens and sheep were common to most farms and provided Islanders with milk (and cream and butter), meat, eggs and wool for making clothing. Islanders were close-knit and helped each other as needed. Property taxes were paid through road work - cutting bushes, and repairing and leveling public roadways. Families took turns hosting their neighbours - dances were common and skating parties were held in winter.

Travel to Saint John in the non-winter months was via boat. In the 1800s and early 1900s, riverboats made their way up and down the St. John and Kennebecasis Rivers, departing from Indiantown in the North End of Saint John. Steamers travelled up the Kennebecasis as far as Hampton and made stops on the Kingston Peninsula as well as the south shore of Kennebecasis Island at the end of McCormick Road. In the winter, Islanders went to and from Saint John via horse-drawn sleigh, on skates, or by foot across the frozen Kennebecasis River.

## Ferry service

In 1880, seasonal ferry service was established between Millidgeville, the Kingston Peninsula (Summerville and Bayswater), and the Island. The first ferry was the privately-owned toll ferry "Enterprise", a paddlewheel steamer which made 4 trips daily. The "Enterprise" was followed by the side-wheel steamer "Maggie Miller", also privately owned, which began operating in 1892. The "Maggie Miller" made 3-5 trips/day (depending on the day of the week) between May and November, transporting people as well as horse-drawn carts and carriages and later cars and trucks. In the early 1900s, a bus service connected Millidgeville with the street car line at the corner of Adelaide and Main streets in Saint John making it convenient to get to and from the ferry. The "Maggie Miller" was replaced in 1934 by the "Maggie Miller II", another side-wheeler but with a diesel engine. The second "Maggie Miller" was in service until 1955. The "D.L. MacLaren" served on the

Kennebecasis River between 1956 and 1967 and it was followed by the “Romeo and Juliette” which operated for 34 years from 1968 until 2001. By the late 1940s, the New Brunswick government had taken over operation of many of the province’s river ferries, including the “Maggie Miller II”, and the ferries became toll-free. Seasonal ferry service to Kennebecasis Island has continued to present day. Since 1968 this service has been provided by a dedicated ferry that operates across the Milkish Channel between the Island and Summerville.

## **A post office**

In early 1894, Islanders applied to the Federal Government for a post office. At the time, there were post offices in Millidgeville and Bayswater and mail could be delivered to and from the Island via the ferryboat “Maggie Miller”, at least from May until November when the ferry was operating. The application was approved in November 1896 and the Island post office opened in September 1897. The first postmaster was George Johnston who was appointed on September 1, 1897 and carried out his postal duties until his resignation on December 1, 1899. James M. Keith was postmaster from February 1, 1900 until his death in September 1912. Keith’s son, Louis became postmaster on October 15, 1912 and held this position until the office closed on September 30, 1937. Johnston and the Keiths provided postal service (e.g., stamp sales, and letter and parcel drop-off and pick-up) from their farmhouses.

An April 1894 Post Office Inspector’s report, accompanying the application to establish a post office on Kennebecasis Island, states that there were 12 permanent resident families on the Island. By the 1930s, the Island had only 2 families (Keith and Hutchings) living there year-round and only the postmaster’s family (Keith) was using the post office. Consequently, in 1936 local postal authorities recommended closing the Island office and on September 30, 1937 it closed. Efforts were made in 1950 to reopen the post office on a seasonal basis from June 1 until September 30. However, the Post Office Department deemed this to be unjustified due to the fact that there were no permanent residents on the Island.

## **The Johnston “hotel”**

The Island’s only “hotel” opened in the summer of 1894. It’s referred to in the Post Office Inspector’s report from April 1894 where a postal employee wrote “a summer hotel just completed will be opened during the coming season, but it is very uncertain as to what extent it will be patronized.” The “hotel” was built and operated by the Johnston family (see below) who took advantage of their proximity to where the ferry “Maggie Miller” docked. The “hotel” was not a hotel in the traditional sense where guests would stay for a few days or maybe a week. For the most part, it was occupied by two or three families for the whole of any given summer. It was therefore more like a cottage than a hotel. The “hotel” was still being used during the summer months as late as the mid-1970s. However, by this time, it had deteriorated somewhat and only part of the building could be lived in. The “hotel” was demolished in the late 1970s when the property was owned by the Ferris family.

## Schools

In a publication entitled "Early Schools of Kings County, published in 1985 by the Kings County Retired Teachers Association, Julia Walker has written that as early as 1840, schooling was available to the children on Kennebecasis Island. Thomas Crawford was the Island teacher from 1840 until the late 1850s. According to provincial school records, Crawford had 24 students in 1842, 21 in 1845 and 28 in 1850. The students (both boys and girls) ranged in age from 5-17. All of the Island families with children were represented in Crawford's classroom. In August 1844, a school inspector reported that Crawford was 36 years old and married, and that he had a teaching license dated August 6, 1832. Crawford was described as "a good reader and writer" who "had a competent knowledge of arithmetic but not of English grammar." The school was described as 20x14x7 feet with convenient seats but poor desks, old and out of repair, and public property provided by the people. "Public property provided by the people" refers to the fact that the school was built by the Islanders, not the Government, and open to all of their children. More than half of Crawford's salary came from voluntary contributions from the Islanders. The inspector's report also noted that the children's parents supplied the school books (Wilkingame and Gough's Arithmetic, Manson's Primer, Dilworth and Finnegan's Spelling Book and Elements of History) and that "the people of the Island are said to be very poor, the attendance is irregular and the school is in a backward condition."

Thomas Crawford owned land on the Island between 1839 and 1864 (see below). However, he left the Island sometime before 1861 since in the census of that year, he is listed as living in Hammond, New Brunswick, a short distance east of Saint John.

In 1857, George Irvine purchased property on the Island, built a farm house, and lived there until his death in 1866. He was a retired school teacher who had taught for many years at the school in Milkish, across the channel from Kennebecasis Island. Irvine followed Crawford as the Island school teacher. Children attended classes at Irvine's farmhouse where he had a room off the dining room with a long table and small chairs that he used as his classroom. Given that the school where Crawford taught was described in 1844 as "out of repair" and "in a backward condition", it's likely that this building was no longer useable when Irvine began teaching. It's not known who followed George Irvine, if anyone, in the late 1860s as the Island's schoolmaster.

In 1871, the Legislative Assembly of New Brunswick passed the Common Schools Act for the development of a public school system to provide education, free of charge, to all New Brunswick children. New school districts were established and new schools built. Consequently, in February 1875, the Westfield Parish School Board purchased land from Catherine Johnston (see below) on "Old Ferry Road", constructed a one-room school house and provided a teacher, all with public money. Kennebecasis Island became school district 9 within the parish. The school was open by at least January 1877 and closed in December 1906. School records show that children aged 5-16 attended classes on "Old Ferry Road". The number of students in any given year varied from about 10 to about 20. In the fall of 1906, the last semester that the school was open, there were only 9 students. Most of the teachers stayed with families on the Island rather than commuting from Saint John or the nearby Kingston Peninsula. The teachers during the school's last years

included Nellie Hoyt (1899-1904), Nina Gregory (1905), Leslie Kennedy (1906) and Margaret Beatrice Gillen (1906). Beginning in 1907, Island children went to school in Bayswater or Millidgeville.

## Cemeteries

There are two cemeteries, both private, on Kennebecasis Island - the Keith family cemetery and the Hutchings family cemetery.

The Keith cemetery is located on part A of sub lot 1 of original lot 11 (see below) and is on land still owned by members of the Keith family. Mary Keith, who died on February 10, 1943, was the last burial there. The Keith family estimates that there are 38 graves in their cemetery but an exact number cannot be determined since records have been lost for many burials and most of the grave markers (wooden) have been removed and/or destroyed. Keiths buried there include William (d. November 21, 1901, age 84) and his wife Elizabeth (d. May 18, 1904, age 85), their son, James M. (d. September 16, 1912, age 60) and James' two wives, Elizabeth (d. 1879, age 23) and Mary (d. February 10, 1943, age 85), and James and Elizabeth's infant baby (d. 1879). In addition to the Keiths, members of the Flemming, Morrow and Woods families are interred in the cemetery.

The Hutchings cemetery, also known as the Loyalist cemetery, is on land originally owned by William Charlton (see below) and later by his daughter, Sarah Hutchings. As with the Keith cemetery, wooden markers have been destroyed. However, there are a number of stone markers that are still in reasonably good condition. It's not known how many burials were made in the Hutchings cemetery but the last interment occurred in April 1932 (Sarah Irvine, a granddaughter of William Charlton). Kennebecasis Island residents buried in the cemetery include:

William Charlton	c1800 - December 21, 1886
Sarah Charlton (née Donald, William's wife)	c1796 - September 29, 1874
Robert Strayhorn	c1811 - July 29, 1877
Isabella Strayhorn (née Charlton, William's daughter)	c1825 - February 1, 1902
John Hutchings Sr	1835 - 1914
Sarah Hutchings (née Charlton, William's daughter)	1840 - 1923
James H. Carter	c1821 - December 18, 1896
Catherine Carter	c1827 - May 18, 1911
(née Charlton, daughter of William and widow of Thomas Johnston and James Carter)	
Arthur G. Irvine	1846 - 1913
Sarah J. Irvine	1845 - 1932
(née Johnston and granddaughter of William and Sarah Charlton)	
William L. Saunders	c1815 - June 23, 1879
Elizabeth Saunders (née Christie)	d. 1879

Thomas and Walter Irvine - young sons of Arthur and Sarah Irvine.

## Property deeds

The average person in the 1800s had limited ability to read and write. This is evident in property deeds from this time period. Deeds were drafted by notaries and often signed in the presence of a Justice of the Peace. Names of people, and sometimes places, were spelled according to how a notary assumed a name should be spelled and land owners, selling a parcel of land, would often mark an “X” next to their name, although their name may not have been spelled correctly. Consequently, several deeds that refer to the same person might include different spellings for that person’s name. Registered deeds, census records, old newspaper articles and vital statistics have been used in an effort to include the proper spelling for names. It should be noted, however, that both “Keefe” and “Keith” (see “Lots 7 and 8” below) are correct spellings for this name. In the 1880s, the family changed the spelling of its name from “Keefe” to “Keith”. Therefore, “Keefe” or “Keith”, as used below, refers to the same family.

Most deeds include the price that was paid to purchase the land in question. In the earlier deeds, the purchase price is given in pounds (£) and in later deeds, in dollars (\$). What “pounds” or “dollars” these were, depends on the dates of the deeds. Prior to 1841 and the proclamation of the Act of Union which created the United Province of Canada out of what were then Upper Canada and Lower Canada, there was a Canadian pound which was commonly used in the provinces of British North America (the British pound was rarely used). Following the Act of Union, New Brunswick issued its own pound notes which were printed in the 1840s and 1850s. In 1860, New Brunswick changed its currency from pounds to dollars. At about the same time, the United Province of Canada began replacing its pound notes with dollars. Confederation, in 1867, saw the adoption of the Canadian dollar as the currency throughout the new country of Canada. New Brunswick dollars could be exchanged 1:1 for Canadian dollars.

It should also be noted that older deeds often refer to Kennebecasis Island as “Milkish Island” or as “Merritt’s Island” - “Milkish Island” because of the close proximity of the Milkish Creek on the Kingston Peninsula, and “Merritt’s Island” because in the early 1800s, almost half of the Island was owned by the Merritt family. These older deeds often use the term “chain” or “rod”, as well as “acre” when describing the dimensions or size of a parcel of land. A “chain” (ch) and a “rod” are units of length. A rod measures 16.5 foot and there are four rods or 66 feet in a chain. There are 10 chains in a furlong and 8 furlongs in a mile. An acre is an area of 10 square chains (i.e., an area of one chain by one furlong) or 160 square rods.

Kennebecasis Island had been surveyed and subdivided into 13 lots by at least the 1780s. Some of the boundaries of the original 13 lots, as well as those of the early divisions of these lots, are also the boundaries of properties on the Island today. Present day land parcels can be viewed on a “parcel identifier” or “PID” map provided by the Province of New Brunswick. It can be accessed online at <http://geonb.snb.ca/geonb/>. Where possible, properties discussed in this article have been associated with the corresponding PID currently used to identify that piece of land.

## **Lots 1-6: the Merritt family, Rev. Harrison and the Morrows**

Ownership of lots 1-10 passed from the grantees to others soon after the 1785 land grant. Most of the deeds for the first transfers of ownership were not registered and are not found in the Provincial deed books. However, there are several deeds from 1795 that relate to the purchase of a number of the lots by Thomas Merritt. Merritt acquired lot 2 from Jacob Vail (**deed no. 602** dated October 9, 1795 in deed book D-1, page 338; deed registered on October 26, 1795), lots 1, 3, 4 and 10 from Robert Thompson (**deed no. 603** dated May 30, 1795 in deed book D-1, page 340; deed registered on October 26, 1795) and lot 6 from Abner Hampton (**deed no. 604** dated October 5, 1795 in deed book D-1, page 342; deed registered on October 26, 1795).

Less than a year later, on September 26, 1796, Merritt sold all of his land (lots 1-4, 6 and 10) to his son, Nehemiah, for £50 (**deed no. 684** dated September 26, 1796 in deed book E-1, page 135; deed registered on October 20, 1796). Each of the lots is described as being "50 acres more or less".

Lots 1-4, 6 and 10 were owned by Nehemiah Merritt (and his wife Isabella) for most of the next 40 years. It was only in the early 1830s that the Merritts began to sell their land. Because the Merritt family owned such a large part of Kennebecasis Island and for a relatively long time, the Island was referred to by many as "Merritt's Island" and deeds dated as late as the 1860s describe land on "Merritt's Island".

### **Lots 1, 2 and 4**

On October 31, 1841, Nehemiah Merritt sold lots 1, 2 and 4 to Neal Boyce for £100 (**deed no. 8072** in deed book D-2, page 154; deed registered on March 11, 1842). Each of these lots is described as comprising 50 acres more or less. For £25, Boyce then sold 25 acres on the east end of lot 4 to Peter McLaughlin (**deed no. 10072**, dated March 16, 1842, in deed book H-2, page 382; deed registered on May 26, 1848). McLaughlin in turn sold the land back to Boyce for £25 (**deed no. 10367**, dated March 2, 1849, in deed book H-2, page 721; deed registered on March 15, 1849). A week later, Boyce sold his three lots to Rev. William Harrison for £300 (**deed no. 10649**, dated March 9, 1849, in deed book I-2, page 291; deed registered on January 9, 1850). William Harrison is described as a "clerk of Holy Orders" and in the 1840s and 1850s was the rector of St. Luke's Anglican Church in Saint John's North End (at that time, the town of Portland).

### **Lot 3**

Nehemiah Merritt sold lot 3 to Thomas Morrow for £60 on March 23, 1838 (**deed no. 6890** in deed book A-2, page 191; deed registered on March 27, 1838). On May 20, 1839, for £50, Thomas Morrow sold one half (25 acres) of the lot to William Morrow (**deed no. 7340** in deed book B-2, page 233; deed registered on July 23, 1839) and the other half (25 acres) of lot 3 to the same William Morrow on March 18, 1847 for £35 (**deed no. 10650** in deed book I-2, page 292; deed registered on January 9, 1850). William Morrow then sold all of lot 3 (50 acres) to Rev. William Harrison for £80 on November 29, 1849 (**deed no. 10651** in deed book I-2, page 293; deed registered on January 9, 1850).

## Lot 6

Nehemiah Merritt sold lot 6 to James Gibbons for £30 on February 13, 1833 (**deed no. 5679** in deed book X-1, page 142; deed registered on June 17, 1833).

## Lot 5

On June 5, 1833, James Keefe and James Gibbons filed affidavits before a Justice of the Peace related to Keefe's November 10, 1832 sale of lot 5 to Gibbons (**document 5677** in deed book X-1, page 140). In the affidavit, Keefe states that he purchased lot 5 from Michael Butler (original grantee) some 44 years ago (late 1780s), and that he had the deed in his possession until the spring of 1831 when it was "feloniously taken away". Keefe also accuses his son, Thomas, and Thomas' wife, Jane, of taking the deed and claims that Thomas is illegitimate and not his son. Gibbons' affidavit states that he purchased lot 5 from James Keefe in late 1832 for £100 and further that Jane Keefe had shown him the deed to lot 5 and said that she would not return it to "old Keefe" so as to prevent him from selling the land. Ownership of lot 5 was registered in Gibbons' name (**deed no. 5678**, dated November 10, 1832, in deed book X1, page 141; deed registered on June 17, 1833).

## Lots 5 and 6

By early 1833, James Gibbons and his wife Ann were the owners of both lot 5 and lot 6. On August 30, 1834, they sold these lots to John Hennessy for £130 (**deed no. 5986** in deed book Y-1, page 212; deed registered on October 7, 1834). Gibbons is described as a farmer living on Kennebecasis Island while Hennessy is described as a grocer from Saint John. Hennessy, in turn, sold lots 5 and 6 to Rev. William Harrison for £200 on May 17, 1848 (**deed no. 10144** in deed book H-2, page 465; deed registered on July 22, 1848). Lot 5 is described as being situated on Merritt's Island and bounded on one side by the Kennebecasis River and on the other by the Milkish Creek while lot 6 is described as being on Kennebecasis Island and bounded on the southwest by lot 5 and on the northwest (should read the "northeast") by lot 7. Lot 5 crossed Kennebecasis Island from the Milkish Channel on the north side to what is now called McCormick Cove on the south side. Lots 5 and 6 are each described as comprising 50 acres more or less.

## Lots 1-6

By late 1849, Rev. William Harrison owned the six lots on the western end of Kennebecasis Island (lots 5 and 6 acquired on May 17, 1848, lots 1, 2 and 4 acquired on March 9, 1849, and lot 3 acquired on November 29, 1849). Lots 1-6 comprise all of the land on the western and northern sides of what is today known as McCormick Cove. Lot 6 included land on the northern side of the marsh that enters McCormick Cove on its northeastern shore with the southeastern corner of the lot near the head of the marsh.

Lots 1-6 changed hands several times between the 1850s and early 1880, when the Morrow family purchased them. Deed information is found in table 1.

Table 1: Ownership of lots 1-6 between 1855 and 1880

Seller	Buyer	Deed no.	Deed dated	Deed registered	Purchase price
Rev. William Harrison	Cyprian and Henrietta Godard	<b>13721</b> (deed book M2, pg. 314)	May 2, 1855	April 21, 1856	£3000
Cyprian and Henrietta Godard	Rev. William Harrison	<b>18235</b> (deed book R2, pg. 131)	February 26, 1861	March 2, 1861	£4500
Rev. William Harrison	Lewis Rivers (Portland mill owner)	<b>23438</b> (deed book C3, pg. 427)	February 15, 1869	March 1, 1869	\$6000
Lewis Rivers	Robert Robertson	<b>26517</b> (deed book I3, pg. 289)	October 22, 1872	October 26, 1872	\$5000
Robert Robertson	The estate of Frederick W. Hatheway	<b>31922</b> (deed book V3, pg. 8)	May 2, 1878	June 1, 1878	\$1
The estate of Frederick W. Hatheway	William J. and James Morrow ("joint tenants" and "lime burners" from Saint John)	<b>33464</b> (deed book Y3, pg. 341)	February 7, 1880	July 12, 1880	\$3500

**Note:** Cyprian Godard was a lumber surveyor who lived in the town of Portland (now the North End of Saint John). He and Henrietta were married by Rev. Harrison in 1843. Godard bought and sold land throughout southern New Brunswick in the 1840s, 50s and 60s, so that he could sell the timber on these lands (see also Lot 7 below). In the mid 1860s, Godard raised an infantry company that became part of the 62<sup>nd</sup> Saint John Fusiliers, a volunteer battalion intended to defend against potential Fenian raids. At the time of the 1881 Canada Census, the Godards were living in Bridgewater, Nova Scotia with most of their children. Both Cyprian and Henrietta are buried there.

In late 1883, Morrow brothers, William and James, who were at that time joint owners of lots 1-6, divided the land (see figure 2). For \$1500, James sold his share of lots 1-4 and a small piece of lot 5 to William (**deed no. 37158**, dated November 28, 1883, in deed book G4, page 366; deed registered on December 3, 1883). For \$1500, William sold his share of most of lot 5 and all of lot 6 to James (**deed no. 37159**, dated November 28, 1883, in deed book G4, page 367; deed registered on December 3, 1883).

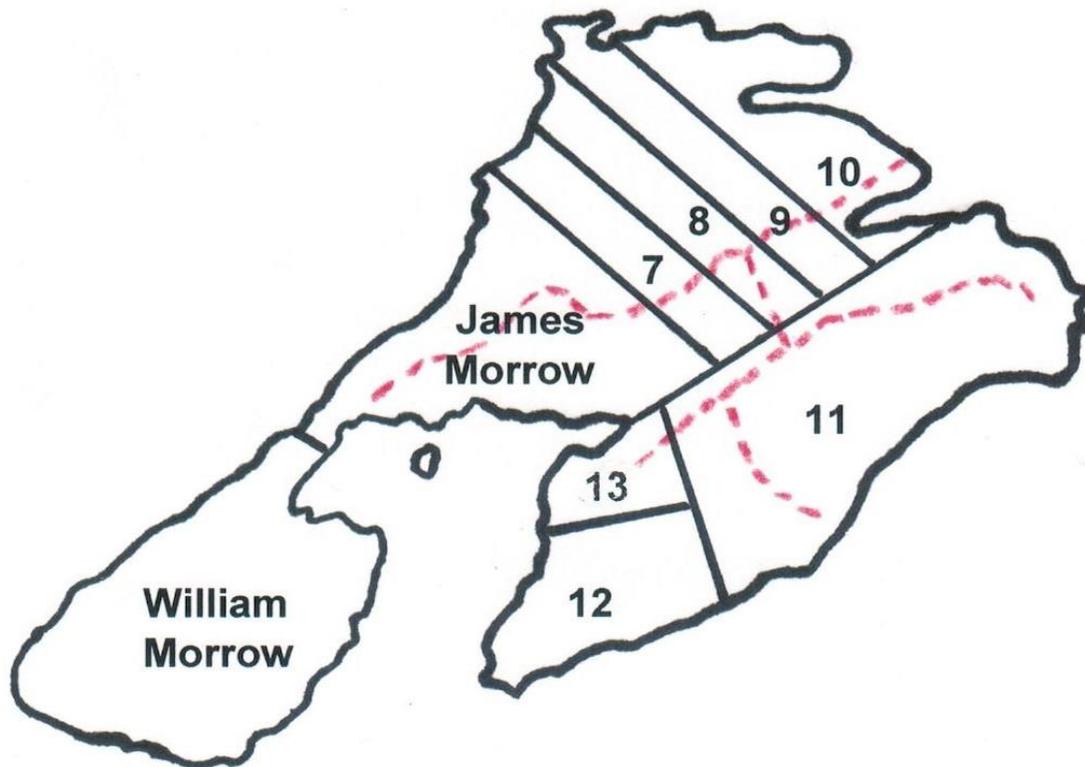


Figure 2 Morrow family holdings on Kennebecasis Island in the late 1800s and early 1900s.

William Morrow died “intestate” on April 22, 1923. Ownership of his property passed to his heirs and next of kin, his wife, Caroline, and their four children. However, on October 17, 1923, the children conveyed their interest in the property to their mother, Caroline (**deed no. 80508** in deed book 9, page 337; deed registered on May 12, 1924). Later that same year, on December 28, Caroline sold a part of the property to her son, John (**deed no. 81124**, in deed book 10, page 390; deed registered on February 5, 1925). On August 16, 1940, Caroline (by then married to George Frederick White) conveyed all of her remaining Kennebecasis Island property to her three surviving children, John Wellington Morrow (married to Marjorie Lane), Hattie Fern Seely (married to Samuel Seely), and Revilla Leona Sutherland (married to Ralph Sutherland) (**deed no. 110567** in deed book 68, page 441; deed registered on October 15, 1952). The Morrow children were “tenants in common” rather than “joint tenants” and each had a one third interest in what had been their father’s farm. William Morrow’s farm was sold to the Peer family beginning in 1958 as set out in table 2. The farm is still intact as a single property with PID 222505.

Table 2: Ownership of William Morrow's property between 1958 and present day

Seller	Buyer	Deed no.	Deed dated	Deed registered	Notes
Marjorie Morrow	Gerald L. Peer and Donald L. Peer (brothers)	<b>119747</b> (deed book 87, pg. 513)	August 14, 1958	August 23, 1958	This is the parcel of land first described in <b>deed no. 81124</b> . Marjorie Morrow was the Peer brothers' aunt.
Ralph Sutherland	Hallie I. Seely	<b>140154</b> (deed book 142, pg. 599)	November 1, 1967	December 11, 1967	Ralph Sutherland was the widower of Revilla Morrow. Hallie Seely was the daughter-in-law of Samuel and Hattie (née Morrow) Seely.
Marjorie Morrow	Gerald L. Peer	<b>154851</b> (deed book 202, pg. 880)	January 6, 1966	December 28, 1972	Marjorie Morrow was the widow of John W. Morrow who died "intestate" on August 7, 1952 in Malden, MA.
G. Blair and Mary Seely	Gerald L. Peer	<b>154852</b> (deed book 202, pg. 884)	August 22, 1972	December 28, 1972	Blair Seely (wife Mary) was the son and heir of Hattie F. Seely (née Morrow) who died on June 28, 1957.
Gerald L. and Ann Marie Peer	Thomas McGloan and Gerald L. Peer	<b>154853</b> (deed book 202, pg. 888)	August 31, 1966	December 28, 1972	
Hallie I. Seely	Lawrence M. Bell and Hugh W. Church	<b>154959</b> (deed book 203, pg. 378)	March 24, 1970	January 8, 1973	
Lawrence M. and Patricia M. Bell; Hugh W. and Victoria M. Church	Gerald L. Peer	<b>158469</b> (deed book 219, pg. 126)	August 25, 1973	October 9, 1973	
Thomas McGloan	Gerald L. Peer	<b>278293</b> (deed book 876, pg. 422)	December 31, 1990	January 10, 1991	With this conveyance, Gerald Peer became the sole owner of all of what had been William Morrow's property.

Table 2: (continued)

Seller	Buyer	Deed no.	Deed dated	Deed registered	Notes
Gerald L. and Patricia I. Peer	David B., Brian R., Mark C. and Kimberley A. Peer	<b>10735307</b> (deed book 1533, pg. 237)	December 17, 1999	December 22, 1999	

James Morrow died on his farm in 1930. His wife, Adelaide, died in 1940. The Morrow family farm was sold by James and Adelaide's heirs (their children), Ethyl Pearl Codner, Emma Delila Stevens, Evelyn Clara Miller, George Clarence Morrow and Vincent Morrow on May 26, 1942 to George Belyea Morrison (**deed no. 95064** in deed book 37, page 108; deed registered on June 10, 1942). Morrison and his wife, Catherine, later subdivided the land and sold lots. There are currently (2018) more than 80 separate properties on what was James Morrow's farm.

In 1946, George Morrison also bought a part of John Keith's farm on old lots 7 and 8 and adjacent to the land he had purchased from the Morrows (see "**deeds related to lots 7 and 8**", **deed no. 100913** below). The present-day development known as "Island Estates" is located on the northeastern part of James Morrow's farm (purchased by Morrison in 1942) and the section of John Keith's farm that Morrison purchased in 1946.

### **A short history of the Morrow family on Kennebecasis Island**

When James and William Morrow purchased lots 1-6 on Kennebecasis Island, they were living in the Fairville area of what was then Lancaster (now Saint John West) NB. Their father, William John Morrow Sr, was foreman of a brick yard. In the 1840s, he owned lot 3 on the Island (see above). The deed to the Morrow brother's property describes James and William Jr as "lime burners". Likely they were employed at one of the many lime kilns that operated at that time in Saint John and Lancaster. James and William Jr had three brothers, Joseph (b. 1846; d. 1917), Robert (b. 1850; d. 1922), and Albert (b. 1859; d. 1931), and a sister, Jane (b. 1853; d. 1930). Their parents, William Sr (b. 1811; d. 1880) and Mary (née Linton, b. 1819; d. 1922), were Irish immigrants who had arrived in New Brunswick at a young age.

James and William Morrow Jr were in their thirties when they took up residence on Kennebecasis Island in 1880. James was born on October 22, 1845 while William was born on July 31, 1848. The Morrows' neighbours were the Keefes (see "Lots 7 and 8" below) and within a few years of establishing themselves on the Island, James and William had both married into the Keefe family.

In c1882, William married Caroline Frances Keefe (b. April 19, 1860). Caroline was a daughter of William Lloyd Keefe and Elizabeth Saunders, and a granddaughter of Thomas Keefe, whose father, James, was the first non-native of record to settle on Kennebecasis

Island. William and Caroline had five children - George, who died young, Hattie Fern (b. September 7, 1882; d. June 28, 1957; m. Samuel H. Seely on February 18, 1903), Henry Thomas (Harry) (b. September 1, 1886; d. August 12, 1940), John Wellington (b. April 26, 1888; d. August 7, 1952; m. Marjorie Lane on October 19, 1921) and Revilla Leona (b. February 14, 1896; m. Ralph Sutherland) all of whom were raised on the Island. William died on April 23, 1923 when he was struck by a horse in a barn on his farm. He was found dead by his son, John. Both William and his son, George, are buried in the Keith family cemetery (see below). By the mid 1920s, most of William's children had married and all had moved off the Island. In 1926, Caroline and her son, Harry, were living at 24 Adelaide St. in the North End of Saint John. This was Caroline's address on September 9, 1926 when at the age of 66 she married George Frederick White. There is no record of Caroline's death in the Provincial Archives.

On January 14, 1884, James Morrow married Catherine Adelaide Keefe (b. December 15, 1861). Adelaide was a daughter of John Thomas Keefe and Letitia Kerr, and a granddaughter of Thomas Keefe. Adelaide and Caroline Keefe were first cousins. James and Adelaide raised five children on their Island farm - Ethel Pearl (b. January 20, 1885; d. June 26, 1964; m. Walter Codner on June 26, 1907), Clarence George (b. June 20, 1887; d. April 26, 1959; m. Margaret Seely on June 30, 1915), Evelyn Clara (b. May 7, 1889; m. Harry Miller), Delila Emma (b. August 8, 1893; d. 1984; m. Walter Stevens on January 10, 1918) and Vincent (b. May 22, 1897; d. 1978; m. Marion Long on November 3, 1920). James was still living on the farm at the time of his death on August 3, 1930. By this time, the Morrow children had married and all had left the Island. Adelaide moved to Saint John after James' death. She died there on April 26, 1940.

## **Lots 7 and 8: the Keefe/Keith family**

### **A short history of the Keefe/Keith family on Kennebecasis Island**

James Keefe was born in c1750. It's not known if he was born in North America, in what were then Britain's American colonies, or in Great Britain itself. However, he served in the British Army as a sergeant in the Queen's Rangers during the American Revolution. In May 1783, Keefe and his family were among the thousands of Loyalists who arrived in Saint John on board the "spring fleet" which had sailed from New York. An accounting, for administrative purposes, of the newly arrived Loyalists, described the Keefe family as consisting of one adult male, one adult female, one child over 10 years of age and one child under 10 years of age. The Keefe's had a third child, a son Thomas, who was born in Saint John in c1785.

James Keefe received a grant of land in Saint John's South End (known then as Parrtown) but there is no record of him actually settling there. Rather, Keefe seems to have been drawn to Kennebecasis Island soon after his arrival in New Brunswick. In 1786, the Royal Gazette published a notice about a 17-year-old Keefe boy who died in a March storm on the Milkish Creek side of Kennebecasis Island. This may have been James' son. In 1789, Keefe purchased 50 acres of land on the Island from Michael Butler who had been granted lot 5 in 1785.

On September 25, 1807, Keefe petitioned His Majesty's Council for lots 7, 8 and 9 on Kennebecasis Island. In the petition, Keefe stated that he owned lot 5, that his family had been living on the Island for 12 years and that his was the only family living there, that he had cleared some of the land and had planted more than an acre of turnips on lot 9 owned by Jeremiah Mabee, who was no longer living in New Brunswick, and that he needed more land. He further stated that since the original grantees had made no improvements to the land in question (it was expected that when Crown land was granted that the grantee would develop the land in some way - live on it, farm it, harvest the forest, etc.), that the land be escheated and granted to him. Keefe's petition was successful and he was granted lots 7, 8 and 9 in September 1807.

James Keefe's wife's name is not known nor are those of his two oldest children. There is also no record of what happened to these members of the Keefe family other than a report that a 17-year-old Keefe boy (who may have been James' son) died on Kennebecasis Island in 1786. There is also no record of when James died although it was after June 1833. Much more is known about James' son, Thomas.

Thomas Keefe was born in Saint John in c1785 and in c1811, married Jane Hayter (born c1786). Thomas and Jane lived for many years on Kennebecasis Island and died there in the 1870s. They had at least 7 children including James (b. c1813), John Thomas (b. 1815), William Lloyd (b. 1817), Michael (b. c1820) and Joseph (b. c1822). Only John and William stayed on the Island where they married, raised families, and farmed the land that belonged to their grandfather, James, and their father, Thomas. The other Keefe brothers moved to Maine in the 1830s and 1840s and never returned to live in New Brunswick.

Thomas and Jane's son, John, (b. May 12, 1815) married Letitia Kerr (b. c1826 in Cork Co., Ireland) on October 5, 1846 in Hampton, NB. Letitia had arrived in New Brunswick from Ireland in June 1839. John and Letitia lived on the Island where they farmed the land and raised 10 children (born between 1847 and 1869). John had purchased 40 acres of land on lot 8 from his father in 1840 (see below). John and Letitia's daughter, Adelaide (b. December 15, 1861; d. April 26, 1940), was married to James Morrow (see Morrow family history above). Adelaide lived on the Island until the death of her husband in August 1930. Of John and Letitia's other children, only their youngest son, Albert (b. May 18, 1869), was still living on the Island when the census was taken in 1891. John died of an apparent heart attack on July 21, 1898 while rowing to Bayswater to attend church with his grandson, Clarence Morrow. Letitia passed away at a relatively young age (mid 40s) on April 26, 1872.

Thomas and Jane's son, William, (b. May 3, 1817) married Elizabeth Ann Saunders (b. June 6, 1819) on May 13, 1839. William and Elizabeth lived on the southeast side of lot 8 where it borders lot 11. They had 12 children, born between 1840 and 1862. Three of their children (Joseph, b. December 25, 1848; James M., b. July 5, 1852; Caroline, b. April 19, 1860) later raised their own families on the Island. The other children either died young or married and left the Island. William died on May 21, 1901 while Elizabeth died on May 18, 1904. Both William and Elizabeth are buried on the Island in the Keefe/Keith family cemetery (see "Lot 11" below).

Joseph Keefe (b. December 25, 1848) was William and Elizabeth's fifth child and second son. In 1868, Joseph married Martha Ann Gamble (b. c1851) and they had four children, all of whom were born on the Island between 1869 and 1878. Joseph owned 40 acres of land on lot 11 where it bordered on lots 7 and 8. This was land that William Keefe had purchased from William McColgan in March 1865 (see "Lot 11" below). Joseph bought the land from his father in October 1871, a few years after his marriage to Martha Gamble. By 1881 when the Census was taken, Joseph and his family were no longer on the Island having moved to the US.

James M. Keefe (b. July 5, 1852) was William and Elizabeth's seventh child and third son. In 1878, James married Elizabeth Gamble (b. c1856). About a year after her marriage, Elizabeth and her baby died during childbirth. Elizabeth was the younger sister of Joseph Keefe's wife, Martha. On January 21, 1883, James married Mary Estelle Beatty (b. January 14, 1862 in Saint John). Family lore says that Mary did not like the spelling of "Keefe" and therefore in the mid 1880s, "Keefe" was changed to "Keith". James and Mary raised four children on their Island farm: Elizabeth, b. November 14, 1883; Mabel, b. July 1, 1886; Louis, b. October 1, 1889; Leonard, b. November 4, 1894. James bought the Keith farm on lot 8 from his father, William, in 1891 (see below). A few years later, in 1899, he purchased from his brother Joseph, the 40 acres of land that Joseph had bought from their father in 1871 (see "Lot 11" below). He also owned a small parcel of land on the north side of Keith's Cove which he purchased from George Johnston in 1892 (see "Lots 9 and 10" below). James died on September 16, 1912 while Mary died on February 10, 1943. James and Mary, as well as James' first wife, Elizabeth, and their infant baby, are buried in the Keefe/Keith family cemetery.

Caroline Keefe (b. April 19, 1860) was the eleventh child and sixth daughter of William and Elizabeth. Caroline was married to William Morrow and lived on the western end of Kennebecasis Island (see above).

When the 1901 Census was taken, other than Caroline and Adelaide Keefe who were married to the Morrow brothers, the only Keefes/Keiths still living on the Island were William and Elizabeth, and their son James and his family.

After James' death in 1912, his farm passed to his wife, Mary, and their two sons, Louis and Leonard. The land was willed to the sons with a "life interest" for their mother. On February 23, 1922, Leonard married Edith Mae Forbes (b. c1902). Leonard then bought out his brother and took ownership of the farm. Leonard and Edith had two children, James (b. November 27, 1924; d. 1993) and Audrey (b. July 30, 1927).

Leonard and his family were the last of the Keiths to live year-round on Kennebecasis Island. They moved to Saint John in 1944 after the death of James' mother the previous year. Leonard and Edith died in Saint John in 1970 - on January 13 and July 20, respectively. The Keith farm (estate) was willed to Leonard and Edith's children, James and Audrey, who then divided the property (see deeds below).

## Deeds related to lots 7 and 8

### Deed no. 5492

By deed, dated July 9, 1832, Thomas and Jane Keefe sold lots 7 and 8 to John and James Keefe for £50 (**deed no. 5492** in deed book W1, page 342; deed registered on July 23, 1832). In the deed, John and James are described as mechanics. Lots 7 and 8 are said to comprise 100 acres (50 acres each) and to be bounded “on the front by the Kennebecasis River, on the east by lot 9 owned by Thomas Johnston, on the west by unoccupied land and on the south by land owned by John Foster.”

The 1832 sale of lots 7 and 8 is interesting for a number of reasons. The sale took place about four months before Thomas’ father, James, sold lot 5 to James Gibson and about a year before Keefe filed an affidavit in which he accused Thomas and Jane Keefe of stealing the deed to lot 5 sometime in 1831 (see “Lot 5” above). Since James Keefe had legal ownership of lots 7 and 8, as a result of his 1807 grant, it’s not known what right Thomas Keefe had to sell them. Also - Thomas’ sons, James and John, were born in 1813 and 1815, and were only 19 and 17 years of age, respectively, in 1832 - almost too young to be purchasing land from their father! Also of note, is the reference to “land owned by John Foster”. Lot 11 is to the south of lots 7 and 8 (see figure 1). Lot 11 was granted to John Foster in March 1835, yet **deed no. 5492**, dated July 1832, describes at least part of lot 11 as already owned by Foster.

### Deed no. 5495

Two weeks after Thomas and Jane Keefe sold lots 7 and 8 to their sons, James Keefe, “yeoman”, (Thomas’ father, known as “old James”) sold a part of lots 7 and 8 to Ralph McCormick for £30 (**deed no. 5495**, dated July 25, 1832, in deed book W1, page 344; deed registered on July 28, 1832). The land that McCormick purchased is described as follows:

Being a part of Lots Number seven (No. 7) and Number eight (No. 8) on said Island, and bounded on the West by Lot Number 6 owned by Nehemiah Merritt Esquire, on the south by Lot Number nine owned by Thomas Johnston and on the North by Milkish River, and on the Rear by part of the said Lots - the part of the said Lots hereby conveyed being twenty five acres in front of each lot, that is to say, in all Fifty acres by survey, Twenty five acres of said Lot Number seven and Twenty five acres of said Lot Number eight, with all privileges...

Since lots 7 and 8 were each about 50 acres in size, “more or less”, McCormick purchased half of each of these lots.

At least parts of lots 7 and 8 were sold by both Thomas Keefe and his father, James, in July 1832. That there were ownership and right to sell issues for these lots is evident from the concluding sentence of **deed no. 5495**:

... I the said James Keefe forever by these presents, renounce, resign and forever Quit claim all my right, title, interest, and demand to the said premises,

and will warrant and defend the same **against any and all Claim and Demand Thomas Keefe has or ever had.** (emphasis added)

James Keefe died in 1833 or 1834. Any dispute between James and his son, Thomas, as to the right to sell lots 7 and 8 was therefore resolved. As James' heir, Thomas and his wife, Jane, were now the owners of the Keefe land on the Island. However, in July 1832 there appear to have been two owners of at least part of lots 7 and 8. No records have been found which relate to how this was sorted out. However, at some time before January 1840, both lots 7 and 8 were once again owned by Thomas and Jane Keefe as evidenced by the following deed.

#### **Deed no. 11074**

On January 6, 1840, Thomas and Jane Keefe sold the

northwestern part of Lot number Eight with the exception of ten acres on the rear of said Lot situated on Kennebecasis Island and bounded on the North West by the Milkish Bay or Cove and on the North East by Lot number nine belonging to Thomas Johnston and on the South East by the said reserved ten acres and on the South West by Lot number seven belonging to Thomas Keefe and running back from the shore of the Milkish Bay or Cove to the said reserved ten acres the same containing 40 acres more or less ...

to their son, John, for £40 (**deed no. 11074**, in deed book I2, page 745; deed registered on February 1, 1851). Thomas and Jane Keefe retained the "reserved ten acres" on the boundary with lot 11 and still owned lot 7.

#### **Deed no. 27857**

Thomas Keefe sold lot 7 (50 acres) to Cyprian and Henrietta Godard for \$200 on October 31, 1865 (**deed no. 27857** in deed book L3, page 66; deed registered on February 17, 1874). For several years in the late 1850s and early 1860s, the Godards owned lots 1-6 (see "Lots 1-6" above).

Based on **deeds no. 11074 and 27857**, by the late 1860s, Thomas and Jane Keefe owned 10 acres of lot 8, their son, John, owned the remainder of the lot (40 acres), and Cyprian and Henrietta Godard owned lot 7. Thomas and Jane Keefe passed away in the 1870s (exact date unknown). Their names appear in the 1871 Canada Census where their ages are given as 87 and 85, respectively, but they are not listed in the 1881 Census. By at least the early 1870s, Thomas and Jane were living with their son, William, and his family, presumably on the "reserved 10 acres" of lot 8 in the farmhouse built by James Keefe in the early 1830s.

No record has been found as to who Thomas and Jane Keefe's heirs were. James M.F. Keith, Thomas and Jane's great great grandson, has written in "The Keith Family - A Brief History" (1991), that Thomas and Jane sold their farm (100 acres - which corresponds to the combined acreage of lots 7 and 8) in 1839 (likely a reference to **deed no. 11074**, dated

January 6, 1840) to their sons, John and William and that the brothers “divided the land and spent the rest of their lives fighting back and forth over it.” However, **deed no. 11074** is for the sale of only 40 acres of lot 8 to John Keefe, with his parents retaining ownership of the other 10 acres. The deed specifically refers to lot 7 as still owned by Thomas Keefe, who in 1865 sold the lot to the Godards.

Nonetheless, deeds dated from the late 1800s indicate that John and William Keith each owned half of lots 7 and 8 and that they had divided the land as James M.F. Keith has written. It’s not known how the Keith family reacquired lot 7 which was sold to the Godards in 1865. No registered deeds have been found for the conveyance of lot 7 from the Godards to the Keiths.

### **Deed no. 49825**

In a deed dated September 10, 1891 (**deed no. 49825** in deed book J5, page 716; deed registered on April 2, 1897), William and Elizabeth Keith, for \$400, sold “a part of Lots number seven (7) and number eight (8)” to their son, James M. Keith (by this time, “Keefe” had become “Keith”).

The land purchased by James M. Keith is described as containing 50 acres more or less and bounded:

On the northwest by lands owned by John Keith, on the southwest by lands of James Morrow and Ralph McCormick, on the southeast by lands of John Hutchings and on the northeast by lands of George Johnston, Andrew Irvine and Joseph Keith ...

The deed includes an exception which is “free right of way or passage through the above described premises for funeral purposes said right of passage being in connection with the road leading to the family burying ground, the same being located on the lands of Joseph Keith.”

The land purchased by James M. Keith was the southern half of lots 7 and 8 bordering on what was lot 11 to the south and on John Keith’s land to the north - i.e., the northern half of lots 7 and 8 bordering on the Milkish channel.

### **Deed no. 77844**

James M. Keith died in September 1912. His property was willed to his sons, Louis and Leonard. On December 3, 1921, Louis Keith sold his half interest in his father’s land to his brother, Leonard (**deed no. 77844** in deed book 4, page 523; deed registered on February 22, 1922). The deed refers to Mary Keith, James’ widow, as having a “life interest” in the property. Three parcels of land, representing James Keith’s “estate”, are described in the deed.

The first parcel is the 50 acres that James Keith bought from his parents, William and Elizabeth - the property described in **deed no. 49825** (above). These 50 acres represent

about half of the acreage of old lots 7 and 8 and are the southern half of these lots bordering on old lot 11. The second parcel is 40 acres in the northern part of sub lot 1 of lot 11 (see "Lot 11" below) that James Keith bought from his brother, Joseph W. Keith, on March 13, 1899 (**deed no. 51495** in deed book N5, page 409; deed registered on March 15, 1899). Joseph had purchased this parcel of land from his father, William, in October 1871 and William had obtained it from William McColgan in March 1865 (see "Lot 11" below). The third parcel is 2.5 acres bordering on "Old Ferry Road" to the north and Keith's Cove to the east that James Keith bought from George Johnston (see "Lots 9 and 10" below) on October 8, 1892 (**deed no. 46690** in deed book B5, page 439; deed registered on March 17, 1893).

#### **Deed no. 95282**

John Keefe/Keith died on July 21, 1898. His wife, Letitia, had passed away more than 25 years previously and other than his daughter, Adelaide, who was married to James Morrow, none of his children were living on Kennebecasis Island. At the time of his death, John was living with Adelaide and her family. Taxes were not paid on John's land and by warrant dated June 22, 1942, the Keefe farm was sold by the sheriff and purchased by Charles C. Cross for \$105 on August 31, 1942 (**deed no. 95282** in deed book 37, page 377; deed registered on August 31, 1942).

#### **Deed no. 97700**

Charles Cross (wife Margaret) sold what was John Keefe's farm to Stanley Chesworth on November 28, 1944 (**deed no. 97700** in deed book 42, page 53; deed registered on December 21, 1944).

**Deeds no. 95282 and 97700** both describe the property being conveyed as about 40 acres and in the northwestern part of lot number 8. This is the same description as found in **deed no. 11074**. However, when Stanley Chesworth sold this property in 1944, it was subdivided and its clear from how the land was divided, as evidenced by the PID map, that Chesworth did not sell 40 acres of lot 8 but rather about 50 acres comprising the northern half of lots 7 and 8 bordering on the Milkish channel to the north and Leonard Keith's farm to the south.

#### **Deeds no. 100894, 100913 and 103153**

On November 25, 1846, Stanley Chesworth (wife Lulu Frances) subdivided and sold his property. Leonard Keith purchased land adjacent to the northern border of his farm on lots 7 and 8 (**deed no. 100894** in deed book no. 48, page 162; deed registered on December 6, 1946), George Morrison purchased the central part of Keefe's former farm (**deed no. 100913** in deed book 48, page 190; deed registered on December 10, 1946) and Charles Franks bought the northern part of the farm bordering on the Milkish Channel (**deed no. 103153** in deed book 52, page 603; deed registered on March 13, 1948). Morrison is the same George Morrison who purchased James Morrow's farm in June 1942 (**deed no. 95064**, see "Lots 1-6" above). The land that Keith obtained is now the northern part of PIDs 220053 and 30004212 while the parcel that Morrison purchased is now part of the

**“Island Estates” subdivision.** Charles Franks’ property is still owned by his descendants. It has been assigned PID 220079.

### **Deeds no. 177347, 177348, 177824 and 177825**

Leonard Keith died on January 13, 1970. Leonard’s wife, Lucy Edith Mae Keith, died on July 20, 1970. Their property on Kennebecasis Island was willed to their children, James M.F. Keith and Audrey E. Ferris (née Keith). On October 13, 1976, a **“subdivision”** was created out of the Keith farm and registered on December 10, 1976 as **plan no. 5708**. The subdivision consists on 5 lots numbered 76-1, 76-2, 76-3, 76-4 and 76-5. The following properties are within the subdivision:

1. the three parcels of land described in **deed no. 77844**, i.e. the land purchased by James M. Keith and described in **deeds no. 46690, 49825 and 51495**;
2. the land purchased by Leonard Keith from Stanley Chesworth on November 25, 1946 and described in **deed no. 100894**;
3. the land purchased by Leonard Keith from Stanley Irvine on October 17, 1944 and described in **deed no. 97690** (see “Lots 9 and 10” below) but not including that part of the Irvine property that Leonard Keith subsequently sold to Aubrey and Eva Richards on July 3, 1945 and described in **deed no. 101038** (see “Lots 9 and 10” below).

In early 1977, James Keith and Audrey Ferris divided their parent’s estate as described in **subdivision plan no. 5708**. **Deed no. 177347**, dated March 18, 1977 (in deed book 301, page 898; deed registered on March 24, 1977) and **deed no. 177824**, dated April 14, 1977 (in deed book 304, page 30; deed registered on April 28, 1977) are for the transfer of ownership of sub lots 76-2 and 76-4 from the estate to James Keith and his wife, Joy. Sub lots 76-2 and 76-4 correspond to land currently identified by PIDs 30004212 and 30004238, respectively.

**Deed no. 177348**, dated March 18, 1977 (in deed book 301, page 903; deed registered on March 24, 1977) and **deed no. 177825**, dated April 14, 1977 (in deed book 304, page 34; deed registered on April 28, 1977) are for the transfer of ownership of sub lots 76-1, 76-3 and 76-5 from the estate to Audrey Ferris (née Keith). Sub lots 76-1, 76-3 and 76-5 correspond to land currently identified by PIDs 220053, 30004220 and 30004246, respectively.

## **Lots 9 and 10: the Johnston family, a school and a hotel**

Lots 9 and 10 were situated on the northeast corner of Kennebecasis Island (see figure 1). To the north and east of these lots, across a body of water variously called “Milkish Bay” or “Milkish Cove”, lie Milkish Creek and Sea Dog Cove, and the communities of Summerville and Bayswater on the Kingston Peninsula.

Lot 9 was granted to Jeremiah Mabee on October 13, 1785. On February 23, 1814, Mabee sold the lot to Jeremiah Drake for £50 (**deed no. 1901** in deed book M1, page 36; deed

registered on April 1, 1815) and on May 7, 1829, Drake sold the lot to Thomas Johnston for £25 (**deed no. 5496** in deed book W1, page 345; deed registered on July 28, 1832).

James Keefe had petitioned for the grant of lots 7, 8 and 9 in 1807 (both in person and in writing). With respect to lot 9, he claimed that the grantee, “one Maybee ... had made no Improvement whatever upon the Lot, and the Petitioner is informed that the said Maybee has removed from the Province to the United States.” The petition was looked on favourably by “His Majesty’s Council” and in September 1807, lots 7, 8 and 9 were granted to Keefe. Keefe/Keith family lore says that in the late 1820s, James Keefe sold lot 9 to Thomas Johnston. However, there is no registered deed for this transaction.

By 1829 Thomas Johnston owned lot 9, having bought it seemingly from both Jeremiah Drake and James Keefe.

In February 1833, Johnston acquired lot 10 (adjacent to lot 9) from Nehemiah Merritt (**deed no. 5840** in deed book Y-1, page 20; deed registered on January 29, 1834). Merritt had obtained lot 10 from Robert Thompson in May 1795 (**deed no. 603** in deed book D-1, page 340; deed registered on October 26, 1795).

By February 1833, Thomas Johnston owned both of the lots on the northeast corner of the Island. Each of these lots was described as comprising “50 acres, more or less”. However, the acreage was never accurately measured and it’s now known (based on more recent surveys) that lots 9 and 10 together comprised about 180 acres, rather than 100 acres.

### **Subdivision of the Johnston farm**

Between 1857 and 1897, the Johnston property was subdivided and parts of it sold. Figure 3 shows the subdivisions that existed within lots 9 and 10 by 1897. Most of these subdivisions still exist today as parcels of land each with its own unique PID. Chain of title for each subdivision is detailed in the tables below.

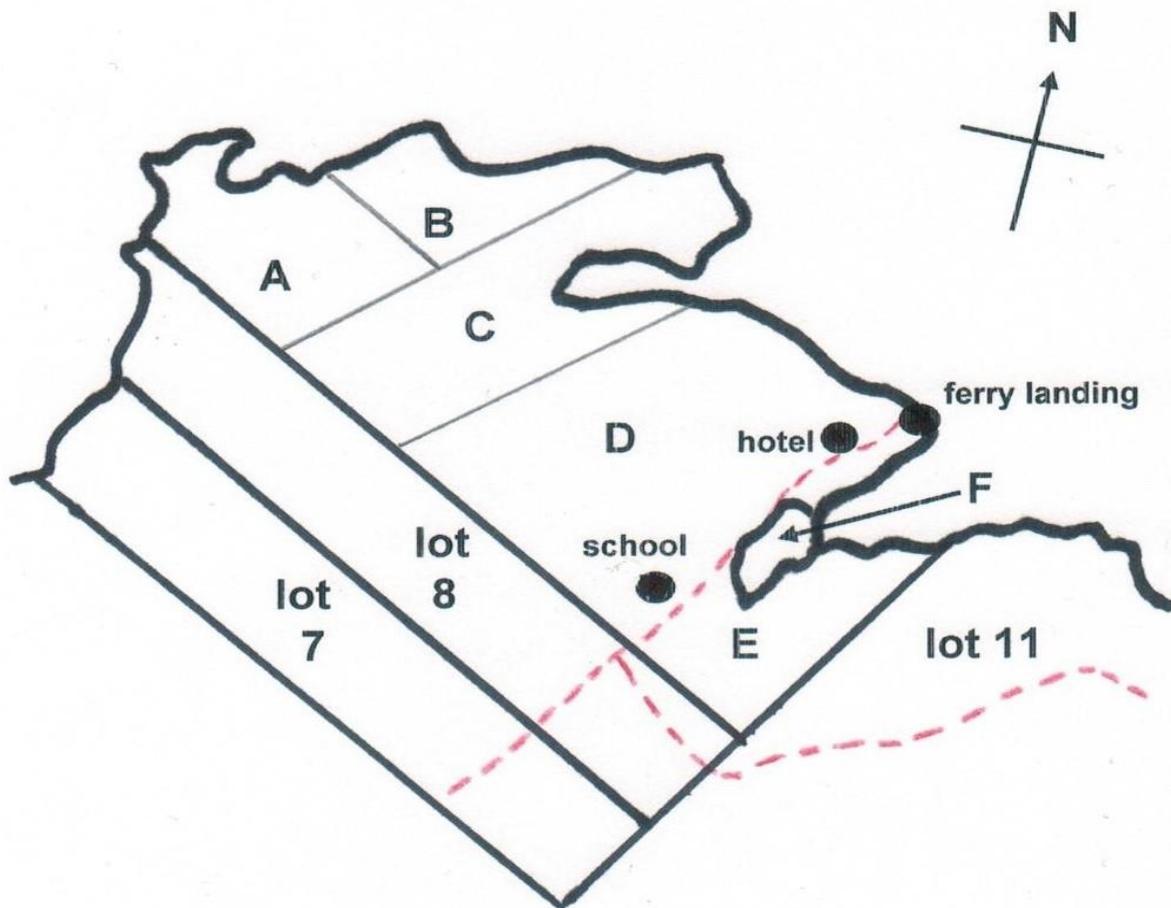


Figure 3 Subdivisions within the “Johnston property” (lots 9 and 10) in the early 1900s. Dashed lines represent roads. The road separating section D from section E was originally called “William Keefe’s Road” and later “Old Ferry Road”. The cove near where the ferry landed is “Keith’s Cove”. The land between the cove and the road near the hotel and ferry landing is part of section D.

**Section A** comprises 26.4 acres and has PID 221457 (all property areas were obtained from the New Brunswick land records).

**Section B** is 20.1 acres and has PID 30305544.

**Section C** is 44.6 acres and has PID 220251.

**Section D** is about 73 acres and has PID 220236. Both the Island school and the Johnston hotel were on section D.

**Section E** is about 20 acres and corresponds to PIDs 30004238, 30004246 and 222638.

**Section F** is 2.5 acres and is part of PID 30004238.

### **Sections A and B (PIDs 221457 and 30305544, respectively)**

On May 8, 1869, Thomas Johnston Jr purchased 30 acres of land from his father for \$42 (**deed no. 23854** in deed book D3, page 218; deed registered on October 4, 1869). The

deed describes Thomas Johnston Jr's land as being the northwest parts of lots 9 and 10, delineated as follows:

commence at the boundary of land owned by John Keefe,  
then follow the shore northeastwards to a point on the eastern part of lot 10,  
then follow the fence in a westerly direction to the side line between John Keefe  
and Thomas Johnston, Sr, forming a right angle with the said side line.

This property is shown as **sections A and B** in figure 3, corresponding to PIDs 221457 and 30305544, respectively. More recent, and more accurate, surveys have determined that the area of sections A and B (combined) is about 46 acres, rather than 30 acres.

Twelve years later, on September 22, 1877, Thomas Johnston Jr, and his wife Catherine, sold half of their parcel of land (15 acres according to the deed, **section B** in figure 3) to Mary Atchison for \$50 (**deed no. 31652** in deed book U3, page 286; deed registered on February 4, 1878; the deed refers to Mary Atchison as the wife of Henry Atchison who was a bookkeeper). Two years later on November 19, 1879, Henry and Mary Atchison sold their property to James and Catherine Carter for \$110 (**deed no. 33156** in deed book X3, page 635; deed registered on November 22, 1879).

Catherine Carter was Thomas Johnston Sr's widow. Following Johnston's death in the early 1870s, Catherine married James Carter (sometime after 1875). As Thomas Johnston's widow, Catherine fell heir to all of her husband's land at the time of his death. Deeds from the 1870s refer to Catherine as either Catherine Johnston or Catherine Carter depending on whether she sold land before, or after, remarrying.

The land that Mary Atchison acquired from Thomas Johnston Jr and then sold to Johnston's mother (**section B** in figure 3) is delineated in the deeds as follows:

commence at a poplar tree on the west by the property of Thomas Johnston on the fence line dividing the property of Thomas Johnston and John Johnston where it runs in a westerly direction,  
and running from said tree in a northwesterly direction to a large rock on the shore on the northeast by the river,  
then follow the shore in a northeasterly direction until it strikes the fence line first mentioned,  
then follow the fence in a westerly direction along the line of John Johnston's property to the place of beginning.

The Thomas Johnston referred to here is Thomas Johnston Jr. John Johnston is Thomas Johnston Jr's brother who for a time owned the land marked as **section C** in figure 3 (see below).

Thomas Johnston Jr retained ownership of the other half of his 30 acres (**section A** in figure 3) until September 6, 1897 when he sold it to his mother, Catherine Carter, for \$400 (**deed no. 50795** in deed book M5, page 49; deed registered on May 12, 1898). By 1897,

Catherine Carter had ownership of the 30 acres of land (**sections A and B** in figure 3) that her deceased husband had sold to their son some 30 years previously.

Ownership of sections A and B was split again in 1900 when on December 1, Carter sold **section B** to Sarah Ann Kennedy (**deed no. 52941** in deed book Q5, page 726; deed registered on December 3, 1900). Kennedy retained ownership of **section B** until her death in 1918. In 1919, **section B**, along with **section C** (see below), was sold by Kennedy's heir, her daughter, Jennie Waters, to Murray and Gregory Ltd.

Between 1919 and present day, **sections B and C** have been conveyed together as one property. Ownership of this property, over the last 100 years, is shown in table 5 below.

On March 26, 1907, Catherine Carter sold **section A** to her daughters, Martha Jane Hunter (widow of Thomas Hunter) and Sarah Irvine (wife of Arthur G. Irvine) (**deed no. 60732** in deed book E6, page 666; deed registered on April 9, 1907). Ownership of **section A** between 1909 and present day is shown in table 3.

Table 3: Ownership of **section A** in figure 3 between 1909 and present day

Seller	Buyer	Deed no.	Deed dated	Deed registered	Notes
Martha Jane Hunter and Sarah Irvine	Thomas McRae	<b>63312</b> (deed book L6, pg. 793)	February 1, 1909	January 25, 1910	Thomas McRae, a farmer from Bayswater, married Martha Hunter in October 1909.
Thomas McRae	Martha Jane McRae	<b>72508</b> (deed book K7, page 267)	February 9, 1915	April 4, 1918	Martha McRae (née Johnston) was Thomas McRae's wife.
Martha Jane McRae estate, per Sheriff	Bertha E. O'Neil, Frank J. Alexander and Robert T. Alexander (joint tenants)	<b>112353</b> (deed book 72, pg. 256)	July 22, 1953	November 21, 1953	Both Thomas and Martha McRae died in the spring of 1918. In May 1953, the property was seized by the sheriff (Leon Seely) for non-payment of taxes and other expenses (\$143.08 in total) and sold for \$155.
Frank J. Alexander (surviving joint tenant)	Robert M. Alexander	<b>325310</b> (deed book 1313, pg. 83)	August 8, 1996	February 18, 1997	

## Section C (PID 220251)

On July 11, 1876, Catherine Johnston sold a parcel of land to her son, John, and his wife, Alice, for \$25 (**deed no. 30190** in deed book Q3, page 520; deed registered on July 17, 1876). This property is shown as **section C** in figure 3 and corresponds to PID 220251. Fourteen years later, on August 2, 1890, John Johnston (by then living in Cambridge, MA) sold the property back to his mother for \$130 (**deed no. 47189** in deed book D5, page 11; deed registered on November 1, 1893). On September 21, 1895, Catherine (by now, Catherine Carter) resold this piece of land for \$500 to Elizabeth Young and her husband Robert, a machinist and engineer from Jersey City, New Jersey (**deed no. 48701** in deed book H5, page 152; deed registered on September 23, 1895). Ownership of this property changed hands several times between 1895 and 1918 (see table 4) when it was purchased by Jennie Waters. **Section C** is delineated in the deeds as follows:

commence at a line on Thomas Johnston's land where it intersects the side line of John Keefe's farm,  
then run along the said side line to a certain marked cedar tree,  
then run on a line parallel with the western side line of Thomas Johnston's farm until it strikes the waters of the Milkish Stream or Creek,  
then follow the shore until striking the side line of said Thomas Johnston's land,  
then along said side line to the place of beginning.

Table 4: Ownership of **section C** in figure 3 between 1903 and 1918

Seller	Buyer	Deed	Deed dated	Deed registered	Notes
Robert and Elizabeth Ann Young	Sarah Ann Kennedy	<b>56432</b> (deed book Y5, pg. 216)	November 30, 1903	July 11, 1904	
Sarah Ann Kennedy	Jennie Kennedy Waters	<b>66192</b> (deed book T6, pg. 457)	August 2, 1909	September 28, 1912	Jennie Waters was Sarah Kennedy's daughter.
Jennie Kennedy Waters	Edna Waters	<b>69768</b> (deed book D7, pg. 12)	July 28, 1915	July 29, 1915	Edna Waters was Jennie Waters' daughter
Edna Waters	Jennie Kennedy Waters	<b>72786</b> (deed book L7, pg. 69)	July 13, 1917	June 24, 1918	

In the early 1900s, Sarah Kennedy's address was Kennebecasis Island. Later in life, she lived in Roxbury, MA where her daughter and granddaughter were residents. In her will, dated August 7, 1915, Sarah Kennedy left her Kennebecasis Island property (**section B**)

to her daughter, Jennie Waters (see **document no. 72876** in deed book L7, page 272; document contains Boston (Suffolk County) Probate Court proceedings from May and July 1918 following Sarah Kennedy’s death). In 1918, after Kennedy’s will was probated, Jennie Waters became the owner of **sections B and C**.

**Sections B and C (PIDs 30305544 and 220251, respectively): 1919 - present day**

In July 1919, Jennie Waters sold her mother’s property on Kennebecasis Island to Murray & Gregory Ltd., a local manufacturer and shipper of lumber and lumber products, headquartered in Saint John, NB. Since 1919, **sections B and C** have been conveyed as a single property. Ownership between 1919 and present day is shown in table 5.

Table 5: Ownership of **sections B and C** in figure 3 between 1919 and present day

Seller	Buyer	Deed no.	Deed dated	Deed registered	Notes
Jennie Kennedy Waters	Murray & Gregory Ltd.	<b>74083</b> (deed book 07, pg. 327)	July 10, 1919	July 12, 1919	
Murray & Gregory Ltd.	J. Albert Cave	<b>76660</b> (deed book 2, pg. 420)	December 14, 1920	March 22, 1921	
J. Albert Cave	William Cave	<b>76661</b> (deed book 2, pg. 421)	December 14, 1920	March 22, 1921	
William Cave	Thomas Leslie Johnston	<b>77929</b> (deed book 4, pg. 634)	March 14, 1922	March 23, 1922	Leslie Johnston was George Johnston’s son and Catherine (Johnston) Carter’s grandson.
Katie Bella Johnston, guardian of Alfred George Johnston and Eldon Leslie Johnston	Rev. Maurice W. Armstrong	<b>89565</b> (deed book 26, pg. 39)	July 9, 1935	August 15, 1935	Alfred and Eldon became orphans in January 1933 when their parents drowned (see above). Their aunt, Bella, became their guardian. Bella died in August 1935.

Table 5: (continued)

Seller	Buyer	Deed no.	Deed dated	Deed registered	Notes
Rev. Maurice W. Armstrong	Marguerite K. Hansen	<b>104871</b> (deed book 56, pg. 362)	October 15, 1948	March 16, 1949	
Marguerite K. Hansen	Marguerite K. Hansen and Patricia M. Hansen	<b>190934</b> (deed book 360, pg. 372)	March 8, 1979	March 9, 1979	The Hansen sisters were "joint tenants".
Marguerite K. Hansen	Patricia M. Hansen	<b>219426</b> (deed book 491, pg. 507)	October 19, 1983	October 20, 1983	
Patricia M. Hansen	Patricia M. Hansen, Joan L. Hansen and Margaret J. Nadeau	<b>321461</b> (deed book 1277, pg. 476)	September 4, 1996	September 4, 1996	Margaret Nadeau is a sister of Patricia and Joan Hansen. The Hansen sisters are "joint tenants".

When Rev. Armstrong purchased **sections B and C**, he also obtained a right of way over George Johnston's property (**section D**, see below). The right of way was from "the public wharf on Kennebecasis Island to the line of the property of the said Maurice W. Armstrong..." (see **deed no. 89566**, dated August 7, 1935, in deed book 26, page 40; deed registered on August 15, 1935). This right of way has been included in all subsequent deeds related to the sale of **sections B and C**. Rev. Armstrong lived in Fairville (now part of Saint John) when he purchased land on Kennebecasis Island but was living in Havertown, PA when he sold the property in 1948.

### Section D (PID 220236)

On August 16, 1890, Catherine Carter sold half (50 acres) of Thomas Johnston's original estate to her son George L. Johnston (a cooper by trade) and his wife, Lavinia, for \$500 (**deed no. 43703** in deed book V4, page 426; deed registered on September 16, 1890 - also see **deed no. 50590** dated February 24, 1898 in deed book L5, page 451; deed registered on February 25, 1898). The part of the estate sold by Catherine Carter is described as follows:

bounded in the north by a part of the said estate owned by the said Catherine Carter,  
in the south by land owned by Andrew Irvine,  
in the west by the land of John Keith, and

in the east by the Kennebecasis Bay or water.

The parcel of land purchased by George Johnston is shown as **section D** in figure 3 and corresponds to PID 220236.

On August 7, 1935, Johnston conveyed a right of way across his land to Maurice Armstrong who had just purchased the adjacent property (**sections B and C** in figure 3) (**deed no. 89566** in deed book 26, page 40; deed registered on August 15, 1935).

George and Lavinia Johnston were the last members of the Johnston family to live on Kennebecasis Island and to own land that had originally belonged to Thomas Johnston, Sr. George and Lavinia sold their property in 1940. It has had several owners between then and present day as depicted in table 6.

Table 6: Ownership of **section D** in figure 3 between 1940 and present day

Seller	Buyer	Deed no.	Deed dated	Deed registered
George Johnston	Alder Currie	<b>93812</b> (deed book 34, pg. 570)	October 30, 1940	November 7, 1940
Alder Currie	Russell A. McConnell	<b>97490</b> (deed book 41, pg. 456)	October 10, 1944	October 25, 1944
Phoebe Roberta McConnell	P. Morgan Ferris	<b>171980</b> (deed book 277, pg. 930)	May 6, 1976	May 6, 1976
P. Morgan Ferris	Josephine S. Crocker et al	<b>252419</b> (deed book 661, pg. 830)	December 23, 1987	December 23, 1987
Josephine S. Crocker et al	Josephine S. Crocker et al	<b>286962</b> (deed book 957, pg. 195)	September 28, 1990	February 18, 1992
Edith S. Crocker et al	Andrew Gillen	<b>34383274</b>	November 4, 2014	November 17, 2014

### The Island school property

For \$5 on February 10, 1875, Catherine Johnston sold about ¼ acre of land on the Old Ferry Road (see figure 3) to School District 9 so that a school could be built (**deed no. 28888** in deed book N3, page 518; registered on February 18, 1875). A one-room school operated from the late 1870s until 1906. 10-20 children aged 5-16 attended classes in any given year.

### The Johnston hotel property

On September 6, 1897, George Johnston sold the hotel and the land on which it stood (about 0.46 acres) to his brother, Thomas Johnston Jr, for \$400 (**deed no. 50796** in deed book M5, page 50; deed registered on May 12, 1898). On July 31, 1901, Thomas sold the hotel property back to his brother for \$300 (**deed no. 66604** in deed book U6, page 505; deed registered on January 28, 1913).

## Section E (PIDs 222638, 30004238 and 30004246)

The first parcel of Johnston land to be sold was **section E**. On November 21, 1857, George C. Irvine (wife Elizabeth), a school teacher, purchased a 20-acre parcel of Thomas Johnston's land for £50 (**deed no. 16438** in deed book O2, page 76; deed registered on January 4, 1858). The parcel is described in the deed as being on the northeastern part of Kennebecasis Island and as part of lots 9 and 10, and is delineated as follows:

begin at an ash stump on the shore of Milkish Bay,  
then run southwesterly 95 rods until the termination or rear end of the  
northeasterly side of lot 8 (Keefe family),  
then follow the southwestern side of lot 9 in a northwesterly direction 45 rods,  
then in a northeasterly direction along the southwestern side of the road called  
"William Keefe's Road" to the shore of Milkish Bay.

The Irvine land is further described as bounded on the southeast by Arthur McFarlane's land, on the southwest by lot 8, on the northwest by "William Keefe's Road" and on the northeast by Milkish Bay.

The land that George Irvine purchased was on the south and west sides of what later became known as "Keith's Cove", and was bounded on the north side by what is today known as the "Old Ferry Road" and on the west side by property owned by the Keefe family. The Irvine property is shown as **section E** in figure 3 and corresponds roughly to land currently identified by PIDs 222638, 30004238 and 30004246.

George Irvine sold his property to his son, Arthur G. Irvine (a cooper by trade), for £10 on July 5, 1866 (**deed no. 21995** in deed book Z2, page 319; deed registered on September 11, 1866). Arthur Irvine then sold the property to his brother, Andrew (also a cooper) for \$200 on June 24, 1867 (**deed no. 22619** in deed book A3, page 404; deed registered on June 28, 1867). Andrew retained ownership of the Irvine farm until April 25, 1918 when he sold it to his youngest son, Stanley (**deed no. 72570** in deed book K7, page 395; deed registered on April 27, 1918).

Section E of the original Johnston property remained in the Irvine family until 1944. On October 17<sup>th</sup> of that year, Stanley Irvine sold the Irvine farm to Leonard and Mae Keith (**deed no. 97690** in deed book 42, page 40; deed registered on December 14, 1944). On July 3, 1945, Keith sold a part of the Irvine farm fronting on Keith's Cove to Aubrey and Eva Richards (**deed no. 101038** in deed book 48, page 363; deed registered on January 9, 1947). In 1969, the Richards family sold their property to George and Helen Grant (**deed no. 144394**, dated August 27, 1969 in deed book 158, page 709; deed registered on August 29, 1969). The parcel of land sold to the Richards family and later owned by the Grants is assigned PID 222638.

The remainder of the Irvine farm is still owned by the Keith family and was part of Leonard and Mae Keith's estate that was willed to their children, James M.F. Keith and Audrey Ferris (née Keith) (see "Lots 7 and 8" above). On October 13, 1976, a "**subdivision**" was created out of the Keith farm and registered on December 10, 1976 as **plan no. 5708**. The

subdivision consists on 5 lots numbered 76-1, 76-2, 76-3, 76-4 and 76-5. Two of these lots (76-4 and 76-5) are parts of the Irvine farm and have been assigned PIDs 30004238 and 30004246, respectively. James Keith and Audrey Ferris divided their parent's estate as described in a series of deeds dated in early 1977 (**deeds no. 177347, 177348, 177824 and 177825** – see “Lots 7 and 8” above). James Keith and his wife, Joy, became the owners of lot 76-4 (PID 30004238) while Audrey Ferris became the owner of lot 76-5 (PID 30004246).

### **Section F (part of PID 30004238)**

On October 8, 1892, George Johnston sold 2.5 acres of land to James M. Keith for \$25 (**deed no. 46690** in deed book B5, page 439; deed registered on March 17, 1893). The deed delineates the parcel of land as follows:

begin at an ash tree or large boulder on the northeastern corner of land owned by the said George L. Johnston,  
then run southeasterly across the marsh until striking the land of Andrew Irvine,  
then westerly along and following the land of said Arthur Irvine until reaching the highway,  
then along said highway about 24 rods to the place of beginning.

The land that James Keith purchased (**section F** in figure 3) was bounded by “William Keefe’s Road” (also known as “Old Ferry Road”) to the north, the Irvine property to the south and west, and Keith’s Cove to the east. **Section F** is now part of PID 30004238 and is still owned by the Keith family.

### **A short history of the Johnston family on Kennebecasis Island**

Thomas Johnston was born in Ireland in the early 1800s and immigrated to New Brunswick in May 1826. In 1829, he bought lot 9 on Kennebecasis Island and in 1833, lot 10 where he built a farmhouse. Johnston married Ann Armstrong (1809-1842) in the late 1820s and they had at least four children. In c1844, Johnston married Catherine Charlton (b. c 1827), a daughter of William and Sarah Charlton who also owned property on the Island (see “Lot 11” below). Between 1845 and 1866, Catherine gave birth to at least eleven children including Sarah, Thomas Jr, Isabella, Elizabeth, John, Martha, James, George, Henrietta, Jemine and Hannah. Island lore says that Thomas Johnston Sr. had 21 children from his two marriages.

In the early 1870s, Thomas Sr died and Catherine fell heir to the Island property. Catherine remained on the Island and in c1877, married James Carter (b. 1821), a minister. As the Johnston children reached adulthood, most left the Island. Some settled in nearby Saint John while others immigrated to the United States. Thomas and Catherine’s daughter, Sarah (b. February 6, 1845; d. April 8, 1932), was married to Arthur Irvine (b. March 22, 1846; March 13, 1913), a son of George Irvine. For a short time in the mid-1860s, Arthur and Sarah owned the land that Arthur’s father, George, had purchased from Sarah’s father. By the late 1880s, only sons Thomas Jr and George were still living on the Johnston farm with their mother Catherine and stepfather, James Carter.

In May 1889, George Johnston (b. November 22, 1859), who was a cooper by trade, married Levinia Long (b. February 17, 1863). Levinia joined George and his family on Kennebecasis Island. In August 1890, Catherine sold the Johnston homestead (about 50 acres - according to the deed - as well as the farmhouse) to George and Levinia. This was not the first sale of "Johnston land". In 1857, Thomas Sr sold the southern part of the property surrounding Keith's Cove to George Irvine and in 1869, he sold 30 acres adjacent to the Milkish Channel to his son, Thomas Jr. Another son, John, bought a smaller parcel of land from his mother in 1876. Catherine also sold land on the "Old Ferry Road" on the southern edge of the property to the local School District so that a school could be constructed on the Island.

The 1890s saw a number of developments at the Johnston farm. A hotel was built on the property to provide summer lodging. The Johnston family was able to take advantage of their farm being located adjacent to where the ferry from Saint John docked. The hotel was owned and operated by George's brother, Thomas Jr. George also sold a small parcel of land on the south side of his property to James M. Keith. Keith's property was on the north shore of the cove to the south of the ferry landing and this body of water soon became known as "Keith's Cove". Also, George and Levinia's children were born in the 1890s thus adding to the number of people living on the Johnston estate: daughter Jennie was born on December 6, 1890, son Thomas Leslie was born on February 3, 1893, and daughter Bella was born on June 11, 1895.

George and Levinia continued to "work" the Johnston farm throughout the 1890s and into the 1900s. On December 13, 1896, James Carter passed away and was buried in the Hutchings family cemetery. George's mother, Catherine, lived on the Island until her passing on May 18, 1911. She too was interred in the Hutchings cemetery.

On February 19, 1927, Leslie Johnston married Evelyn Watkins (b. August 5, 1898). Evelyn was born in England and immigrated to Canada as a young girl. She was the only child of A.H. Frederick Watkins and Maud Bowden. Leslie and Evelyn were married at St. Luke's Anglican Church on Main St. in Saint John. The Watkins family were members of the congregation at St. Luke's and Fred taught Sunday school there. Evelyn joined Leslie and his family on Kennebecasis Island where she gave birth to two children, Alfred (b. late 1927) and Eldon (b. 1929). Leslie and Evelyn lived on the land adjacent to that of Leslie's parents, Leslie having purchased the property from William Cave in 1922 (**sections B and C** in figure 3).

On March 11, 1931, tragedy struck the Johnston family when Leslie's 40-year old sister, Jennie, died from "acute hemorrhagic pancreatitis", a fatal inflammation of the pancreas. Jennie's death occurred at the Johnston family farm. Less than two years later further misfortune befell the family.

On Thursday, January 19, 1933, Leslie and Evelyn left their Island home and skated across the Kennebecasis River to the Millidgeville area of Saint John. After spending the day in the city, the Johnstons arrived back at Millidgeville and set out for Kennebecasis Island in a blinding blizzard. About halfway across the river, they apparently became confused because of the snowstorm and the changing direction of the wind (it was at their backs

when they left Millidgeville) and instead of skating in a straight line from Millidgeville to the tip of Kennebecasis Island at the Milkish Channel, they turned to their left and skated down the river to thin ice and open water opposite McCormick Cove. Leslie and Evelyn were heard calling for help but soon drowned in the icy water. Their bodies were recovered by grapplers in about 120 feet of water three days later on Sunday afternoon.

The Johnstons were survived by their children, Alfred and Eldon, who were left to be cared for by Leslie's parents, George and Levinia, and Leslie's sister, Bella, who became their guardian. By 1933, Evelyn's father had become a minister and her parents were living in Longview, WA where Fred was rector of Grace Episcopal Church. Evelyn was an only child and had no other relatives in the Saint John area.

On August 13, 1935, George and Levinia Johnston's other daughter died. Bella suffered from heart disease from birth and was an invalid most of her life. George and Levinia and their grandchildren remained on Kennebecasis Island for a few years after Bella's death and then moved to the South End of Saint John. George died on January 28, 1941 while Levinia died on April 25, 1951.

George and Levinia Johnston, as well as their three children and Leslie's wife, Evelyn, are buried in the Summerville United Church cemetery on the Kingston Peninsula in King's County, NB - only a few kilometers from Kennebecasis Island.

### **A short history of the Irvine family on Kennebecasis Island**

George Irvine was born in Fermanagh Co., Ireland in 1789. In 1829, he married Elizabeth Sanderson (b. 1811). The Irvines had ten children, including Andrew and Arthur, born between 1830 and 1851. Since the family did not immigrate to New Brunswick until 1840, some of the Irvine children were born in Ireland and the others in Canada. George bought land from Thomas Johnston on Kennebecasis Island in 1857 and he and his family settled there soon after. In addition to farming the land, George, who was a teacher, offered schooling to the Island's children. George died on July 13, 1866 while Elizabeth died on March 13, 1874.

Shortly before George's death, he sold his Island farm to his son, Arthur. Arthur was born in New Brunswick on March 22, 1846. On June 25, 1866, two weeks before his father's death, Arthur married Sarah Johnston (b. February 6, 1845). Sarah was Thomas and Catherine Johnston's daughter and a neighbour on Kennebecasis Island. In 1867, Arthur sold the Irvine farm to his brother, Andrew. Arthur and Sarah lived on and off the Island and at least one of their children (Francis, b. May 25, 1884) was born there. By 1890, the Irvines were living in the Millidgeville area of Saint John. Arthur died there on March 13, 1913; Sarah died on April 8, 1932. Both Arthur and Sarah, as well as two sons who died young, Thomas (b. c1880) and Walter (b.1875; d. December 30, 1885), are buried in the Hutchings private cemetery (see "Lot 11" below) on Kennebecasis Island.

Andrew Irvine (b. May 18, 1839 in Fermanagh Co., Ireland) married Martha Kirk (b. July 22, 1848) on September 18, 1867. Andrew had purchased the Irvine farm from his brother, Arthur, only a few months before his marriage. Andrew and Martha had twelve children,

born between 1868 and 1890. They lived year-round on Kennebecasis Island until about 1890 and then moved to Saint John. Andrew died on March 6, 1920 while Martha passed away on December 9, 1932.

By 1891 when the Census was taken, there were no Irvines living on Kennebecasis Island.

## Lot 11: the Foster grant, the Hutchings and the McCormicks

Lot 11 had the largest acreage (300 acres) on Kennebecasis Island and was granted to John Foster of Cornwallis, N.S. on March 18, 1835 (grant no. 347). The Island “lot map” (figure 1) shows the northern side of lot 11 as running from east of the marsh in the northeast corner of McCormick Cove over to the eastern shore of the Island. However, Foster must have had some claim to the land on the south side of the Island before the 1835 grant since at least as early as 1832, land north of lot 11 was being described as bordered on the south by John Foster’s land (see **deed no. 5492** in deed book W1, page 344).

Before 1835, lot 11 had been surveyed and was divided into five (5) sub lots as shown in figure 4.

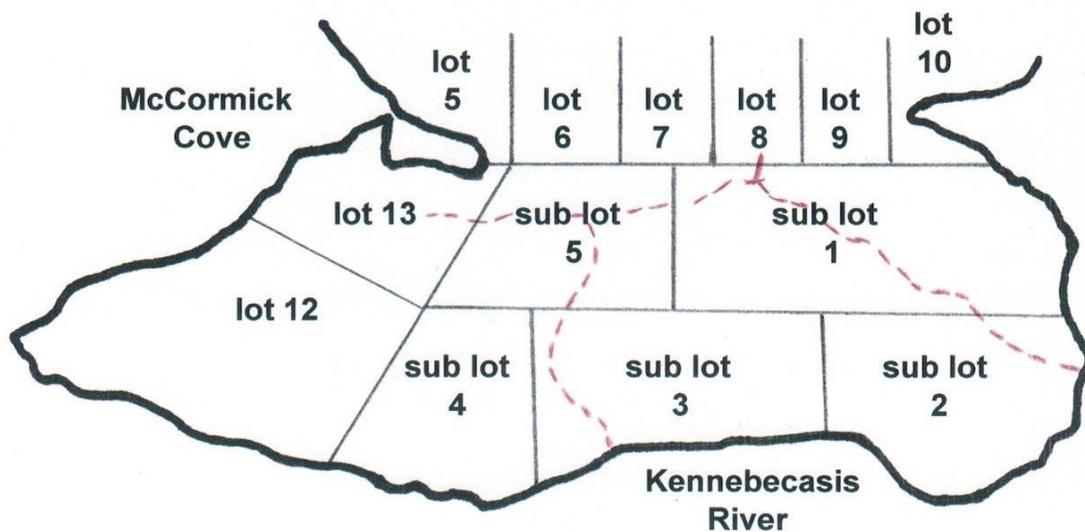


Figure 4 Subdivisions within the “Foster grant” (lot 11). The boundary between lot 11 and lots 12 and 13 is in a north-south direction. Dashed lines represent roads.

Within weeks of being granted lot 11, John Foster began to sell it. The ownership history of each sub lot is set out below.

### Sub lot 1 (100-acres)

Foster sold sub lot 1, the northeastern part of lot 11, to James McMullin on April 8, 1835 for £65 (**deed no. 6740**, dated April 8, 1835, in deed book Z1, page 548; deed registered on October 30, 1837). The land is delineated as follows in the deed:

begin at an oak tree or stump on Milkish Bay or Cove,  
then follow a line S62°W 40 chains to a cedar stake,  
then S28°E 20 chains to a yellow birch,  
then N62°E 48.5 chains to the shore of Milkish Bay or Cove...

and is further described as bounded on the NW by land of Thomas Johnston and others, on the NE by Milkish Bay or Cove and on the SE by land occupied by William Charlton. Sub lot 1 was later subdivided into two equal parts (A and B) with the dividing line running west to east from the sub lot 5/sub lot 1 boundary to the Milkish Channel parallel to the boundary between sub lot 1 and sub lots 2 and 3. With reference to the New Brunswick PID map, the northern half of McMullin's parcel of land (part A) corresponds (roughly) to PID 30004212 while the southern half (part B) corresponds to PID 222521.

McMullin's property changed ownership a number of times between 1843 and 1913 as shown in table 7. Part A is the northern half of sub lot 1 (PID 30004212) while part B is the southern half (PID 222521).

Table 7: Ownership of sub lot 1 of lot 11 (figure 4) between 1843 and 1913

Seller	Buyer	Deed no.	Deed dated	Deed registered	Purchase price	Part of McMullin property
James McMullin (farmer)	Cornelius McFadden	<b>10369</b> (deed book H2, pg. 723)	August 2, 1843	March 20, 1849	£50	B
James McMullin (farmer)	John Kerr <sup>1</sup>	<b>8688</b> (deed book E2, pg. 578)	April 27, 1844	April 29, 1844	£50	A
Cornelius McFadden	John Kerr	<b>10366</b> (deed book H2, pg. 720)	March 14, 1849	March 15, 1849	£45	B
John Kerr	Rev. William Harrison	<b>13269</b> <sup>2</sup> (deed book L2, pg. 601)	March 29, 1854	July 10, 1855	£150	A and B
Rev. William Harrison	Margaret McFarlane	<b>19466</b> <sup>2</sup> (deed book T2, pg. 499)	January 4, 1863	February 3, 1863	\$350	A
Rev. William Harrison	Rebecca Clarke	<b>20326</b> (deed book V2, pg. 396)	March 27, 1864	April 2, 1864	£36	B

Table 7: (continued)

Seller	Buyer	Deed no.	Deed dated	Deed registered	Purchase price	Part of McMullin property
Rebecca Clarke	Francis W Charlton	<b>20327</b> <sup>2</sup> (deed book V2, pg. 396)	April 1, 1864	April 2, 1864	£50	B
Margaret McFarlane	William McColgan <sup>3</sup>	<b>20296</b> <sup>2</sup> (deed book V2, pg. 359)	March 21, 1864	March 22, 1864	£60	A
William McColgan	William Keith	<b>20970</b> <sup>2</sup> (deed book X2, pg. 80)	March 15, 1865	March 18, 1865	\$300	A
Francis W Charlton	Elizabeth Saunders	<b>32865</b> <sup>2</sup> (deed book X3, pg. 132)	May 31, 1875	July 15, 1879	\$225	B
Elizabeth Saunders	Sarah Hutchings <sup>4</sup>	<b>33094</b> <sup>2</sup> (deed book X3, pg. 527)	October 22, 1879	October 24, 1879	\$25	B
William Keith <sup>5</sup>	Joseph W. Keith <sup>6</sup>	<b>26944</b> <sup>7</sup> (deed book J3, pg. 222)	October 21, 1871	April 10, 1873	\$200	A
Joseph W. Keith	James M. Keith	<b>51495</b> <sup>7</sup> (deed book N5, pg. 409)	March 13, 1899	March 15, 1899	\$300	A
Sarah Hutchings	John Hutchings Jr	<b>65992</b> <sup>8</sup> (deed book T6, pg. 46)	July 17, 1912	July 19, 1912	\$100	B
Sarah Hutchings and John Hutchings Sr	John Hutchings Jr	<b>67262</b> <sup>8</sup> (deed book W6, pg. 412)	July 3, 1913	July 8, 1913	\$100	B

<sup>1</sup> John Kerr was a Saint John “grocer” who was married to Cornelius McFadden’s daughter, Bridget. John and Bridget had 12 children. Their youngest daughter, Ella, married Edward Higgins. Edward and Ella’s daughter, Ena, married Joseph McBriarty. Joe and Ena’s daughter, Mary (John Kerr’s great granddaughter), married Frank Gillen, the great grandson of Ralph McCormick (see the McCormick “family tree” - link below).

<sup>2</sup> These deeds describe the property as being bounded on the rear by Ralph McCormick; the McCormick property referred to, is what was then known as sub lot 5 of lot 11 and which is currently associated with PID 222596 as well as the parcel of land that was more recently carved out

of PID 222596, i.e., property identified by PIDs 30286876, 30286884, 30286892 and 30286900.

- 3 The McColgan family lived in Summerville on the Kingston Peninsula across the narrow channel of water separating Kennebecasis Island from the Peninsula. Their property was adjacent to where the ferry from Millidgeville docked. On a rocky point near the ferry slip, a lighthouse was established in 1913. The lighthouse was named the “**McColgan Point Lighthouse**” and its first lightkeeper was Samuel McColgan, who was William McColgan’s son. Samuel was born in Summerville on December 11, 1857 and died there on January 22, 1941.
- 4 Sarah Hutchings was married to John Hutchings and was William Charlton’s daughter. Her sister was Catherine Johnston (later Catherine Carter, see above) and her brother was Francis W. Charlton, who is also listed in the table. By 1879, Sarah Hutchings owned both part B (southern half) of sub lot 1 and sub lot 2 of lot 11, having purchased sub lot 2 from her father in 1870 (see “Sub lot 2” below).
- 5 William Keith (Keefe) is the same William Keith who owned at least parts of lots 7 and 8 (see above) and who sold these lots to his son, James M. Keith, in September 1891. James M. Keith also owned land on the north side of Keith’s Cove (**section F** in figure 3) and as of March 1899, the northern half of sub lot 1 (figure 4).
- 6 The **Keith family cemetery** (PID 474049) is located on what was Joseph Keith’s, and later his brother, James’, property. The sideline of the cemetery is on the sideline of what was Arthur, and later Andrew, Irvine’s land. The cemetery is referred to in **deed no. 49825** (James M. Keith purchasing parts of lots 7 and 8 from his parents, William and Elizabeth) and in **deed no. 51495** (James M. Keith purchasing the northern half of sub lot 1 of lot 11 from his brother, Joseph).
- 7 These deeds describe the amount of land as 40 acres but don’t suggest that ownership of only part of the original 50 acres is being transferred. 40 acres may be a more accurate assessment (by survey) of the amount of land in the northern half (part A) of sub lot 1.
- 8 Each of these deeds convey the same parcel of land, the only difference being the “seller”. **Deed no. 65992** may have been invalid in that Sarah and John Hutchings Sr were joint owners of the land being conveyed and Sarah could not sell it on her own. Also - each deed contains a “SAVE AND EXCEPT” clause excluding from the sale, a small 2-3 acre parcel in the northeast corner fronting on Milkish Bay (see below).

## Part A of sub lot 1 after 1900

Part A has been owned by the Keefe/Keith family since 1865 when William Keefe purchased the property from William McColgan (deed no. 20970, see table 7 above). In 1871, Keefe sold the land to his son, Joseph (deed no. 26944, see table 7 above) who in 1899, sold it to his brother, James M. Keith (deed no. 51495, see table 7 above). The property was part of James' estate that passed to his sons, Louis and Leonard, after his death in 1912. Leonard later bought out his brother (**deed no. 77844**, see "Lots 7 and 8 above) and after Leonard's death, his estate, which included part A of sub lot 1, was passed to his son, James, M.F. Keith, and daughter, Audrey Ferris (née Keith). On October 13, 1976, a "**subdivision**" was created out of the Keith farm and registered on December 10, 1976 as **plan no. 5708**. The subdivision consists of 5 lots numbered 76-1, 76-2, 76-3, 76-4 and 76-5. In deeds dated in early 1977 (**deeds no. 177347, 177348, 177824 and 177825** - see "Lots 7 and 8" above), James and Audrey split their parents' estate. James M.F. Keith, and his wife, Joy, became the owners of lot 76-2 which is assigned PID 30004212. This parcel of land includes the southern half of old lot 8 and part A of sub lot 1 (of old lot 11) and is still owned by the Keith family. The remainder of part A is lot 76-3. It has been assigned PID 30004220 and is owned by Audrey Ferris.

## Part B of sub lot 1 after 1900

In 1870, William Charlton sold his farm to his daughter, Sarah Hutchings. The Charlton farm occupied all of sub lot 2 of lot 11. Part B of sub lot 1 was adjacent to, and bordered on, sub lot 2. On October 22, 1879, Sarah Hutchings bought part B of sub lot 1 from Elizabeth Saunders (**deed no. 33094** in deed book X3, page 527; deed registered on October 24, 1879).

On July 17, 1912, for the sum of \$100, Sarah and John Hutchings Sr, sold Francis Gordon Irvine (Sarah's great nephew) 2-3 acres of part B of sub lot 1 (**deed no. 67041** in deed book V6, page 678; deed registered on May 15, 1913). The land that Irvine purchased was in the northeast corner of part B on the border with part A and fronting on Milkish Bay. On April 30, 1913, Irvine (and wife Edith) sold the land to William Crawford (**deed no. 67042** in deed book V6, page 680; deed registered on May 15, 1913).

On the same day that Sarah and her husband conveyed a small part of part B to Frank Irvine, Sarah sold the remainder of part B to her son, John Hutchings Jr. (**deed no. 65992** in deed book T6, page 46; deed registered on July 19, 1912). Another identical deed for the sale of part B to John Hutchings Jr. is dated July 3, 1913 (**deed no. 67262** in deed book W6, page 412; deed registered on July 8, 1913).

Each of **deeds 65992 and 67262** convey the same piece of land, the only difference being the "seller". **Deed no. 65992** may have been invalid in that Sarah and John Hutchings Sr were joint owners of the land being conveyed and Sarah could not sell it on her own. Also - each deed contains a "SAVE AND EXCEPT" clause excluding from the sale, the small 2-3 acre parcel in the northeast corner fronting on Milkish Bay that was sold to Frank Irvine.

On October 8, 1919, William Crawford sold his 2-3 acres of part B to John Hutchings, Jr (**deed no. 74670** in deed book P7, page 477; deed registered on November 10, 1919). With this purchase, Hutchings became the owner of all of part B of sub lot 1.

On August 12, 1946, Hutchings conveyed his property to Clifford J. Stone (**deed no. 100255** in deed book 47, page 19; deed registered on August 17, 1946). Stone in turn sold the property to Anna B. Stone (wife of William Stone; **deed no. 119567** dated May 3, 1951 in deed book 87, page 228; deed registered on July 16, 1958).

On June 19, 1963, Anna Stone sold part B of sub lot 1 to Lawrence Frederick, and Melita Joy, Bartlett (**deed no. 128265** in deed book 106, page 137; deed registered on June 24, 1963).

On April 26, 1966, the Bartlett's sold their property to John and Nancy Ross (**deed no. 135312** in deed book 127, page 420; deed registered on May 16, 1966). On September 23, 2010, Nancy Ross sold the property (now assigned PID 222521) to Promised Land Holdings Corp. (owned by Stephen and Andrea Allaby) (**deed no. 29266021**; deed registered on September 24, 2010).

### **Sub lot 2 (50 acres)**

The deeds related to the sale of land to James McMullin (sub lot 1, figure 4) and to Edward Foster (sub lot 3) describe the southeast corner of John Foster's grant (sub lot 2 - PID 222604) as land "occupied" by William Charlton. The deeds use the term "occupied" rather than "owned" which might imply that although Charlton was on the land in 1835, he was not the owner. It's not known how Charlton came to be on Kennebecasis Island but it seems that he was settled there before lot 11 was granted to John Foster. There is no registered deed for the sale by Foster of any land to Charlton nor are there any records related to any land disputes between these two. It's likely that Charlton purchased his property from Foster at about the time that Foster was selling other parcels of lot 11 and that Charlton's deed to the land was never registered.

### **A short history of the Charlton/Hutchings family on Kennebecasis Island**

William Charlton (b. c1800, in Ireland) and his wife Sarah (née Donald, b. c1796) immigrated to New Brunswick from Ireland in May 1828. With them was Sarah's sister, Isabella. By the early 1830s, the Charlton family was living on Kennebecasis Island. William and Sarah raised five children there - Isabella (b. c1825), Catherine (b. c1827), Francis (b. 1833), Mary Jane (b. 1838) and Sarah (b. September 1, 1839). William and Sarah Charlton spent the rest of their lives on the Island and are buried in the Hutchings private cemetery on what was their property. Sarah died on September 29, 1874; William passed away on December 21, 1886.

William and Sarah's daughter, Sarah, married John Hutchings (b. May 3, 1835) on April 22, 1864. John was an immigrant from England who operated a saloon. John's saloon was destroyed in the "great fire" of June 20-21, 1877 that destroyed much of the "uptown" area of Saint John! John and Sarah Hutchings lived in the Charlton farmhouse and raised

five children on the Island - Herbert (b. 1865), John Jr (b. December 6, 1866), Francis (b. 1868), George (b. May 23, 1870) and Sarah (Sadie) Victoria (b. May 24, 1874).

Sarah's older sister, Catherine (who was married to Thomas Johnston and later to James Carter - see above) and her family lived nearby.

In 1870, William Charlton sold his property to his daughter, Sarah. In 1879, Sarah purchased a piece of land (part B of sub lot 1 in figure 4) bordering on her father's property from Elizabeth Saunders (Elizabeth and her husband, William, are buried in the Hutchings private cemetery). Therefore, after 1879, Sarah and John Hutchings owned about 100 acres of land (corresponding to PIDs 222521 and 222604) in the southeast corner of Kennebecasis Island. The Saunders property that Sarah purchased had previously been owned by her brother, Francis (b. 1833; d. April 16, 1903), and his wife, Catherine (née Noble; b. 1846; d. December 6, 1921). Francis and Catherine left the Island in the late 1870s.

Sarah's sister, Mary Jane (b. 1838; d. October 30, 1905), was married to John Hutchings' brother, George. Mary Jane and George were living on the Island when the census was taken in 1861 but are not listed in any Island census thereafter. Family lore says that they moved to Australia in about 1870. However, their son, William (b. November 3, 1865; d. September 16, 1926), was living on the Hutchings property when the 1921 census was taken.

John and Sarah Hutchings' son, John Jr (b. December 6, 1866; d. April 20, 1951), married Rebecca Squires (b. September 26, 1864 in Newfoundland; d. June 20, 1940) on March 25, 1889. John Jr and Rebecca had five children - John Ernest (b. June 6, 1890, d. November 29, 1963), George Gordon (b. July 6, 1892, d. January 1968), May Victoria (b. May 3, 1894, d. November 5, 1989), Francis Norman (b. November 11, 1895, d. November 16, 1983) and William Stanley (b. March 16, 1902, d. October 27, 1989). Soon after John Ernest's birth, John Jr and Rebecca moved to Massachusetts where they remained for more than 25 years before returning to Kennebecasis Island - possibly to look after John's mother, Sarah, who by then was in her 70s.

John Hutchings Sr died in 1914; Sarah died on May 15, 1923. Both John and Sarah lived on the Island until their deaths and both are buried in the Hutchings private cemetery. At the time of Sarah's death, her son, John Jr and his wife, Rebecca, and their children, Victoria and Norman, as well as Mary Jane's son, William, were living on the Hutchings farm. John Jr and Rebecca had purchased the farm from Sarah in 1921. After Rebecca's death in 1940, John Jr moved to Brookline MA, close to where several of his children, including his daughter, Victoria, and son, William, were living. John Jr died in Massachusetts on April 20, 1951. John Jr and Rebecca are buried in the Summerville United Church cemetery, a short distance from Kennebecasis Island.

Family lore says that the Charlton/Hutchings farmhouse was built by Robert Strayhorn. Robert, who was born in c1811, was a stone mason and later a grocer in Saint John. He was married to William Charlton's daughter, Isabella. It's not known how or when he became associated with the Charltons who came to Saint John from Ireland in May of 1828.

The Charlton farmhouse was built in the early 1830s when Strayhorn was about 20 years old so he may have helped Charlton build the house. There's no record of when Strayhorn married Isabella. However, an Ann Strayhorn, age 10, was attending classes at the Island school in 1850. The Strayhorns are not listed in any New Brunswick census records although Robert's name appears in the Hutchison Directory (an early "business directory"; see New Brunswick Provincial Archives) from the 1860s where his occupation is given variously as stone mason and grocer. Robert Strayhorn died on July 29, 1877. His death was noted in the local newspaper where it was reported that he was living on Main St. in Saint John's North End. Isabella died on February 1, 1902. Robert and Isabella are buried in the Hutchings cemetery on Kennebecasis Island.

The 1851 Census includes a second Charlton family living on Kennebecasis Island - Walter and Catherine Charlton, aged 39 and 38, respectively, and their 8 children, 5 of whom were attending school on the Island in 1850. Walter and Catherine are listed as Irish immigrants who came to Canada in the early 1830s. Their farm is described as including 20 acres of cleared land. It's likely that William and Walter Charlton were brothers although there are no records which confirm this. Walter Charlton and his family seem to have left the Island in the 1850s as none of them appear in any of the later census records for the Island.

On June 20, 1870, William Charlton sold sub lot 2 to his daughter, Sarah Hutchings (see **deed no. 24871** in deed book F3, page 141; deed not registered until January 9, 1874). The property is described as lot 2 of the Foster grant (i.e., sub lot 2) and is delineated as follows:

begin on the shore of Milkish Bay,  
then S62°W to a cedar stake,  
then S28°E 14 chains to the shore to a small marked cedar,  
then follow the shore of the Kennebecasis Bay to the place of beginning.

Sarah lived on the land with her family until her death in 1923. On April 5, 1921, she sold the Hutchings farm (see **deed no. 76746** in book 2, page 514; deed registered on April 13, 1921) to her son, John J. Hutchings Jr, who in July 1947 sold the property to his daughter, May Victoria (Hutchings) Hogg (see Massachusetts "quit claim" **deed no. 108270** dated July 24, 1947 and registered on April 23, 1951). On August 28, 1968, William Stanley Hutchings purchased the property from his sister, Victoria (**deed no. 141963**; registered on September 9, 1968). On November 8, 1973, Stan and his wife, Alberta, conveyed the property to David and Ida MacPherson (**deed no. 159193** in deed book 222, page 411; deed registered on November 23, 1973).

In 2013, the portion of sub lot 2 that is north of the road from the present-day ferry landing (about 2.6 acres, see figure 4) was subdivided from PID 222604 and sold as a separate lot with PID 30302244. In a deed dated May 7, 2013, PID 30302244 was conveyed from David and Ida MacPherson to themselves as "joint owners" (**deed no. 32714397**; deed registered on May 30, 2013) and then sold to Stephen and Andrea Allaby (**deed no. 32718687**; deed registered on May 31, 2013). The Allabys also own the adjacent property (PID 222521, see above under "Sub lot 1" - part B).

**Sub lot 3 (50 acres)**

John Foster sold a 50-acre parcel of lot 11 (sub lot 3 in figure 4) to Edward Foster (a brother or a son) on April 29, 1835 for £20 (**deed no. 14005**, dated April 29, 1835, in deed book M2, page 649; deed registered on November 8, 1856). The land is delineated as follows:

commence at a certain stake on the shore,  
 then running N28°W 18.5 chains to a certain white birch,  
 then N62°E 33 chains to a cedar stake,  
 then S28°E 14 chains to a small cedar.

This parcel of land is referred to as “no. three” and said to be bounded on the northeast by land occupied by William Charlton, on the southeast by the Kennebecasis River and on the southwest by land belonging to Arthur Foster.

In 1839, Foster sold sub lot 3 to Thomas Crawford. Later, the Adams family took ownership before Roy Vincent bought the property in 1921. Ownership of sub lot 3 between 1839 and 1921 is set out in table 8.

Table 8: Ownership of sub lot 3 of lot 11 (figure 4) between 1839 and 1921

Seller	Buyer	Deed no.	Deed dated	Deed registered	Purchase price
Edward Foster	Thomas Crawford	<b>14006</b> (deed book M2, pg. 650)	November 15, 1839	November 8, 1856	£45
Thomas Crawford	Arthur Adams	<b>20678</b> (deed book W2, pg. 279)	September 9, 1864	September 15, 1864	\$240
Arthur Adams	Jane Adams <sup>2</sup>	<b>46046</b> <sup>1</sup> (deed book Z4, pg. 526)	May 8, 1891	May 31, 1892	\$200
Jane Adams	Roy Rupert Vincent	<b>76663</b> (deed book 2, pg. 424)	March 10, 1921	March 22, 1921	

- 1 The deed describes the property as being bounded on the northwest by land owned by Ralph and Patrick McCormick and on the southwest by land owned and occupied by Ralph McCormick; the second instance of Ralph McCormick is Ralph Jr. (see “Sub lot 4” below).
- 2 Jane Adams was married to James Adams Jr, the son of Arthur Adams’ younger brother.

Roy Vincent purchased sub lot 3 in March 1921. Almost immediately, he subdivided the property and began the process of selling portions of it. As a consequence, Vincent’s 1921 purchase no longer exists as a distinct entity but instead corresponds (collectively) to the parcels of land identified by the following numbers on the PID map (reading from west to east or left to right on the map): 222646, 30109870, 30318398, 222562, 30249809, 474031, 474023, 474015, 474007, 473991, and 222588 (figure 5).

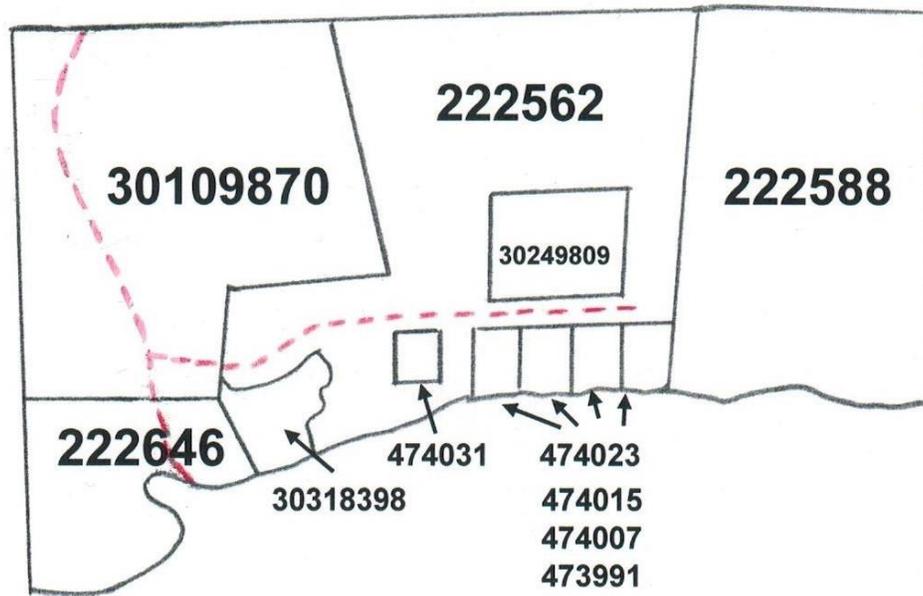


Figure 5 PIDs within sub lot 3 of lot 11. Dashed lines are roads.

PIDs 222562, 30109870 and 222588 are “infants” of PID 222646 meaning that the property identified by these numbers was “carved” out of, or separated from, a larger piece of land, the remainder of which is now identified by PID 222646.

PIDs 30318398, 30249809, 474031, 474023, 474015, 474007, 473991 are “infants” of PID 222562.

#### **Deeds related to PID 222562**

On September 7, 1921, Vincent sold the central portion of his land (now with PID 222562 and which at that time included the lots shown as “infant” PIDs in figure 5) to his brother, William James Vincent (wife Sarah) (**deed no. 81404** in deed book 11, page 38; deed registered on May 26, 1925). Title for PID 222562 (but not the “infants”) from 1921 to present day is shown in table 9.

Table 9: Ownership of PID 222562 (figure 5, 14.63 acres) between 1921 and present day

Seller	Buyer	Deed no.	Deed dated	Deed registered	Related PIDs
Roy Rupert Vincent	William James Vincent	<b>81404</b> (deed book 11, pg. 38)	September 7, 1921	May 26, 1925	222646 (parent)
Sarah Vincent	Charles G. McCormick	<b>131360</b> (deed book 112, pg. 652)	September 2, 1964	September 3, 1964	30318398 30249809 474031
Charles G. McCormick	Brien C. and Gladys C. McCormick	<b>297011</b> (deed book 1049, pg. 336)	June 2, 1993	December 31, 1995	474023 474015 474007
Brien C. McCormick	John Hugh McCormick	<b>22570817</b>	June 20, 2006	August 10, 2006	473991 ("infants")

**Note:** Charles G. McCormick was the son of Ralph McCormick Jr (see "Sub lot 4" below) and the grandson of Ralph McCormick Sr (see "the McCormicks" below). Charles died "intestate" on April 9, 1965. His estate was settled in probate court where his only son, heir and next of kin, Brien C. McCormick, was empowered to administer and dispose of his father's property (**document no. 153593**, dated May 31, 1965; deed book 197, page 187; registered August 31, 1972).

Brien McCormick, as administrator of his father's estate, registered a **subdivision plan (no. 5156)** for PID 222562 on September 5, 1975. The properties assigned PIDs 473991, 474007, 474015, 474023 and 474031 (see figure 5) were subdivided from PID 222562 and are lots 1-5, respectively, in the subdivision plan. These lots are accessible via a public road which runs across PID 222562 from west to east. The lots were conveyed as follows:

Lot 1 (PID 473991): on May 21, 1999, Brien and Gladys McCormick sold this property to Harley and Nancy Thibault (**deed no. 10252881** in deed book 1481, page 177; deed registered on May 28, 1999).

Lot 2 (PID 474007): on August 8, 2004, Brien and Gladys McCormick sold this property to John Keith and Mary Kathleen MacDonald (**deed no. 20750064**; deed registered on August 10, 2005).

Lot 3 (PID 474015): on October 5, 2006, John Hugh McCormick sold this property to Eric and Michelle Falkjar (**deed no. 22897178**; deed registered on October 12, 2006).

Lot 4 (PID 474023): on June 5, 1993, Brien and Gladys McCormick sold this property to Benjamin and Sally Morrissey (**deed no. 297274** in deed book 1052, page 36; deed registered on June 14, 1993). The Morrissey's then conveyed the property to Glenna Shay (**deed no. 339670** dated November 24, 1998 in deed book 1448, page 471; deed registered on December 2, 1998) who in turn, on August 16, 2004, sold the property to Eric and Michelle Falkjar (**deed no. 18946880**; deed registered on August 19, 2004).

Lot 5 (PID 474031): on June 20, 2006, Brien and Gladys McCormick sold this property to their son, Paul Avery McCormick (**deed no. 22570742**; deed registered on August 10, 2006). On November 16, 2011, Paul McCormick sold his property to Eric and Michelle Falkjar (**deed no. 30867684**; deed registered on November 22, 2011).

Eric and Michelle Falkjar are the current owners of lots 3-5 (PIDs 474015, 474023 and 474031).

On November 7, 2007, John Hugh McCormick registered another **subdivision** plan for PID 222562 (**plan no. 24773922**). On November 6 of that year, McCormick sold lot 07-01 (assigned PID 30249809) within the subdivision to Susan Margaret King and Wendy Anne Stewart (**deed no. 24938533**; deed registered on December 7, 2007). On March 3, 2015, McCormick registered a further **subdivision**, with **plan no. 34997008**, within PID 222562 and on July 6 of that year, sold lot 15-01 (assigned PID 30318398) to Brian and Jennifer Thibodeau (**deed no. 35014647**; deed registered on July 8, 2015).

**Deeds related to PID 222588**

On May 17, 1922, Vincent sold the eastern part of his property (land with PID 222588 that borders the Hutchings property on its northern and eastern sides) to John Patrick Gromley (**deed no. 78214** in deed book 5, page 279; deed registered on June 2, 1922). Gromley owned the property until 1958 when it was seized by the Sheriff for failure to pay property taxes. Title for PID 222588 from 1922 to present day is shown in table 10.

Table 10: Ownership of PID 222588 (figure 5, 14.43 acres) between 1922 and present day

Seller	Buyer	Deed no.	Deed dated	Deed registered	Related PIDs
Roy Rupert Vincent	John P. Gromley	<b>78214</b> (deed book 5, pg. 279)	May 17, 1922	June 2, 1922	222646 (parent)
John Gromley (per sheriff)	Municipality of King's County	<b>120223</b> (deed book 88, pg. 551)	_____	November 21, 1958	
Municipality of King's County	Rodman E. Logan	<b>121295</b> (deed book 91, pg. 39)	June 30, 1959	July 28, 1959	
Rodman E. Logan	Caledonian Development and Investment Corporation	<b>154079</b> (deed book 199, pg. 350)	June 13, 1972	October 10, 1972	
Caledonian Development and Investment Corporation	Donald Soucy	<b>160162</b> (deed book 226, pg. 694)	January 24, 1974	February 12, 1974	

Table 10: (continued)

Seller	Buyer	Deed no.	Deed dated	Deed registered	Related PIDs
Donald Soucy	Michael and Barbara (Bonnie) Horrobin	<b>201629</b> (deed book 406, pg. 613)	September 30, 1980	October 17, 1980	222646 (parent)
Bonnie Horrobin	Michael Horrobin	<b>221677</b> (deed book 502, pg. 61)	January 23, 1984	February 22, 1984	
Michael Horrobin	Bonnie Horrobin	<b>245219</b> (deed book 623, pg. 519)	February 27, 1987	March 16, 1987	

### Deeds related to PID 30109870

Roy Vincent sold the land in the northwestern corner of what was the Adams property (PID 30109870; 11.71 acres) to Edward Joseph Gilbert on September 24, 1964 (**deed no. 131543** in deed book 113, page 620; deed registered on September 25, 1964). Edward Joseph Gilbert was the son of Gerarda McCormick and James Gilbert (see family 19 in the McCormick family tree - link below). Edward's great great grandfather was Ralph McCormick Sr (see "Lots 12 and 13" below).

In 1973, Edward Gilbert sold his property to Vera McDougall of Thamesford, Ontario (**deed no. 157339**, dated July 3, 1973, in deed book 213, page 997; deed registered on July 27, 1973). McDougall in turn, on October 13, 1999, conveyed the property (as well as property with PID 222646 - see below) to the Boy Scouts of New Brunswick (**deed no. 10756253** in deed book 1534, page 467; deed registered on January 6, 2000).

### Deeds related to PID 222646

The only part of the former Adams property that Roy Vincent (died on September 26, 1968) did not sell was the southwest corner, property with PID 222646 (3.66 acres). However, this parcel of land was sold by Vincent's daughter and heir, Helen May (née Vincent) Ramsay, to Vera McDougall on February 13, 1974 (**deed no. 160307** in deed book 227, page 333; deed registered on February 27, 1974). McDougall conveyed the land (as well as the parcel with PID 30109870 - see above) to the Boy Scouts of New Brunswick on October 13, 1999 (**deed no. 10756253** in deed book 1534, page 467; deed registered on January 6, 2000). Vera was married to William A. McDougall and was living in Thamesford, ON at the time.

The Boy Scouts of New Brunswick are the current owners of the properties with PIDs 222646 and 30109870. These parcels of land straddle McCormick Road as it comes down a hill towards the Kennebecasis River.

Near the border between PID 222646 and PID 30109870, east of McCormick Road and south of the public road which runs across PID 222562 from west to east, are the remains

of a farmhouse. In **deed no. 297011** (dated June 2, 1993 in deed book 1049, page 336; deed registered on June 3, 1993), this house is referred to as owned by Roy Rupert Vincent. The 1993 reference to the house is descriptive only, since Vincent had passed away in 1968, and its location is used in relation to a public road running across PID 222646. Its not known whether Vincent, or the Adams family who sold the land in sub lot 3 to Vincent, built the house. Arthur Adams purchased sub lot 3 from Thomas Crawford in September 1864 and the Adams family owned the property until March 1921 when it was sold to Roy Vincent. Census records show that the Adams family lived on Kennebecasis Island from at least 1871 until their farm was sold to Vincent. The house referred to in **deed no. 297011** was likely built by the Adams family and was their home on the Island. After Roy Vincent purchased sub lot 3, he sold the eastern part (now with PID 222588) to John Gromley and the central portion (now with PID 222562) to his brother. He retained PIDs 222646 and 30109870, land that included what was likely the Adams farmhouse. Hence the reference in deeds to a house “owned by Roy Rupert Vincent”.

There is a small parcel of Government owned land at the end of McCormick Road between PID 222646 and the water’s edge. This parcel of land is associated with a wharf and dock that existed at this location in the mid to late 1800s. At that time, riverboats, carrying both people and cargo, made their way up and down the Kennebecasis River traveling as far up river as Hampton. These boats docked on the south shore of Kennebecasis Island and at several locations along the Kingston Peninsula.

#### **Sub lot 4 (50 acres)**

John Foster sold a second 50-acre parcel on the south shore of the Island to Arthur Foster on April 29, 1835 for £20 (**deed no. 6448**, dated April 29, 1835 and registered on October 13, 1836; see deed book Z1, page 206). This piece of land is sub lot 4 of lot 11 (figure 4) and is delineated as follows on the southeastern side of Kennebecasis Island:

commence at a certain stake on the shore,  
then running N38°W 18.5 chains to a white birch tree,  
then S62°W 13 chains,  
then S2°W 19 chains to the Kennebecasis River.

The parcel is further described as bounded on the northeast by land of Edward Foster and on the southeast by the Kennebecasis River. Arthur Foster’s land corresponds to PID 222554 and PID 222547. This property also borders lot 12 (50 acres), granted to Ralph McCormick on April 9, 1843 (the southern part of PID 222653). See “Lots 12 and 13: the McCormicks” below.

**Note:** The east line of Arthur Foster’s land was the west line of Edward Foster’s land yet the direction of this line is given as N38°W in Arthur’s deed and as N28°W in Edward’s deed. The length of the property line, and reference to a white birch tree, is the same in both deeds.

Ownership of Arthur Foster’s land changed several times between 1837 and 1889 as set out in table 11.

Table 11: Ownership sub lot 4 of lot 11 (figure 4) between 1837 and 1889

Seller	Buyer	Deed no.	Deed dated	Deed registered	Purchase price
Arthur Foster	Richard Wells	<b>6548</b> (deed book Z1, pg. 320)	March 7, 1837	March 8, 1837	£45
Richard Wells	John N. Brown	<b>22282</b> (deed book Z2, pg. 719)	January 1, 1867	February 6, 1867	\$400
John N. Brown	Arthur G. Irvine	<b>37971</b> (deed book I4, pg. 210)	August 28, 1884	September 8, 1884	\$25
Arthur G. Irvine	Ralph McCormick Jr	<b>42752</b> (deed book T4, pg. 27)	June 26, 1889	July 25, 1889	\$200

In June 1889, Ralph McCormick’s son, Ralph Jr, took ownership of the 50-acre property adjacent to his father’s land (lot 12, see “Lots 12 and 13” below) from Arthur Irvine. This is the same Arthur Irvine who owned the Irvine property adjacent to Keith’s Cove in the mid-1860s (see above). In **deed no. 42752**, Ralph Jr’s occupation is given as “dock builder”, the same occupation that he has asserted in census and U.S. border crossing records, and in many vital statistics documents. Ralph Sr’s occupation in many of these documents is “carpenter”. When Ralph Jr purchased his property from Arthur Irvine, Irvine was living in Cambridge MA and his occupation was given as “mechanic”.

Ralph Jr and his family (wife, Catherine, née McGinnis, and six children - William Paul, John Thomas, Mary Bridget, Charles George, James Ralph and Teresa Elizabeth) lived on sub lot 4 throughout the 1890s.

**Further information on sub lot 4 is given below in the section entitled “Ownership of McCormick land after 1890”.**

#### **Sub lot 5 (50 acres)**

As with sub lot 2 of lot 11, there is no registered deed for the sale of sub lot 5 (corresponds to PIDs 222596, 30286876, 30286884, 30286900 and 30286892). However, a number of deeds, dated as early as 1854, for the resale of parts of lot 11, refer to the northwest corner as “land owned by Ralph McCormick”. This is the same Ralph McCormick who was granted lot 12 in 1843 (see “Lots 12 and 13: the McCormicks” below). The date when McCormick acquired sub lot 5 (50 acres) is not known. However, it’s likely he bought the land from Foster in 1835 or soon after, at a time when Foster was selling other portions of lot 11 and that the deed to the land was never registered.

**Further information on sub lot 5 is given below in the section entitled “Ownership of McCormick land after 1890”.**

## **Lots 12 and 13: the McCormicks**

The final Crown grants on Kennebecasis Island were made to John and Ralph McCormick. John was granted lot 13 (30 acres) on December 18, 1837 (grant no. 1383) while Ralph was granted lot 12 (50 acres) on April 9, 1843 (grant no. 3015).

Ralph, his wife Bridget and their son, Samuel, arrived in Saint John from Ireland in May 1831. The first reference to Ralph McCormick on Kennebecasis Island is his July 1832 purchase of 50 acres of land (half of lots 7 and 8) from James Keefe (**deed no. 5495**, see above). This land was later resold by the Keefe family without any record of it having been returned to the Keefes by McCormick (see "Lots 7 and 8: the Keefe/Keith family", above). The next reference to Ralph McCormick is in 1843 when he was granted lot 12 by the Crown. Ralph's name also appears in a number of deeds dated in the 1850s and 1860s related to the sale or resale of various parts of the Foster grant. The land in these deeds is described as being bounded by land owned by Ralph McCormick, which land is in the northwest corner of lot 11 (sub lot 5 in figure 4) and adjacent to lot 13, granted to John McCormick in 1837.

It has long been assumed that John and Ralph McCormick were brothers. However, other than the 1837 land grant, there are no records that refer to a John McCormick on Kennebecasis Island. In the 1851 census (the first taken in New Brunswick), Ralph and Bridget McCormick and their children are listed as living on the Island - but not John McCormick or any other McCormicks. If Ralph had a brother, John, who was granted land in 1837, it's not known what happened to him. He either died before 1851 or left New Brunswick. In 1851, there were no John McCormicks anywhere in New Brunswick who would have been adults in the mid 1830s.

Alternatively, John McCormick may have been Ralph's son. McCormick family lore says that Ralph had a son named John, who drowned off Kennebecasis Island at a young age. When Ralph and Bridget immigrated to New Brunswick from Ireland in May 1831, their only child was one-year old son Samuel. In 1851, when the census was taken, there were seven McCormick children but John was not one of them. If family lore is true, then a son named, John, would have been born after 1831 and died before 1851. In 1837, when lot 13 was granted, he would have been no older than six!

John McCormick's petition for lot 13 that led to the December 1837 grant was not the only McCormick effort to obtain this parcel of land. In late July 1838 (seven months after the grant to John McCormick), Samuel McCormick petitioned for lot 13. This petition (dated July 31, 1838) states that Samuel McCormick is a British subject who was born in Ireland and that he wants to purchase 50 acres of land which is "the vacant lot no. 13 on Kennebecasis Island adjoining next to the grant to John Foster". The petition includes the following: "the said land is at present in a wilderness state, no improvements having been made thereon. And he requests that he may be allowed to purchase it at three shillings per acre payable by installments and if so allowed, he is prepared to, and will settle himself upon and improve the same forthwith and conform in all respects with the regulations for granting of land."

The petition was denied since no certificate was filed to show that the land was vacant and also because it had already been granted to someone else (i.e., John McCormick).

According to immigration and census records from the 1800s, the only Samuel McCormick living in New Brunswick in 1838 was Ralph's young son on Kennebecasis Island. Samuel was eight years old at the time having been born in Ireland in 1830 shortly before the McCormicks immigrated to New Brunswick.

All of this strongly suggests that Ralph McCormick had petitioned for Crown land in the name of his young son, Samuel. Why a petition for lot 13 was filed in July 1838 given that the land had been granted to John McCormick only seven months previous is not known. However, if the 1838 petition was made in the name of a minor, this lends some credence to the notion that the John McCormick, who was granted lot 13, was also a minor and another of Ralph's sons - and not his brother. While the Crown would not knowingly have granted land to a minor, an applicant's age was not something that was usually included in a petition for Crown land.

John Foster most likely sold sub lot 5 of his grant to Ralph McCormick in 1835 at a time when he was selling the other parts of his property. Sub lot 5 was "land locked" and had no direct access to the water. Lot 13 was adjacent to sub lot 5 and had waterfront. Not surprisingly, the McCormick family would have petitioned for lot 13 - seemingly twice!

In 1892, Ralph McCormick sold all of his land - about 150 acres - to his son, Hugh, and daughter, Ellen. Ralph's property consisted of lots 12 and 13 as well as about 50 acres from lot 11 (sub lot 5). Ralph obtained lot 12 through a Crown grant in 1843 and the lot 11 acreage most likely from John Foster in c1835 (although a deed for this sale was never registered). Regardless of who John McCormick was - either Ralph's brother or son - Ralph eventually acquired ownership of lot 13. It's not known how (will, unregistered deed or possession of the grant certificate), or when, the latter property became Ralph's.

The McCormick family lived on the east side of the cove that bears their name. Ralph and Bridget farmed on the Island and raised their family there. Bridget died in March 1879 while Ralph passed away in September 1893. A McCormick "family tree", which provides information on Ralph and Bridget McCormick and their descendants, can be found at [www.mccormickhouse.com](http://www.mccormickhouse.com).

## Ownership of McCormick land after 1890

On October 22, 1892, for \$400, Ralph McCormick Sr sold all of his property, "one hundred and fifty acres more or less", jointly to his son, Hugh, and daughter, Ellen (**deed no. 47105** in deed book C5, page 579; deed registered on September 15, 1893). The property is described as bounded in the northwest by the Harrison Estate (so called), in the northeast

by lands of William Keith and William Saunders, in the southeast by lands of Arthur Adams and John Brown, and in the southwest by the Saint John and Kennebecasis rivers.

In 1897, Hugh and Ellen McCormick divided the land they jointly owned (see figure 6). In a deed dated November 30, 1897 (**deed no. 50431** in deed book L5, page 158; deed registered on December 21, 1897), Ellen sold Hugh her share of 50 acres of land delineated as follows:

commencing at the northwest corner of said lot of land and adjoining lands of William Keefe,  
thence southeasterly on the division line of said lands and lands owned by the said William Keefe and John Hutchings until it strikes the east side of James Adams and Ralph McCormick,  
thence along said line to a marked birch tree thence north twenty-six degrees west until it strikes the side line of lands of James Morrow,  
thence northeasterly along the said line of said James Morrow and of the said William Keefe to the place of beginning...

At the same time, Hugh sold Ellen his share of the remainder of the property (100 acres; see **deed no. 50430**, dated November 30, 1897, in deed book L5, page 157; deed registered on December 21, 1897). Ellen's purchase included most of original lots 12 and 13 as well as the McCormick farmhouse (built in the late 1830s) which was located on lot 13 near the end of what is today known as McCormick Cove Road.

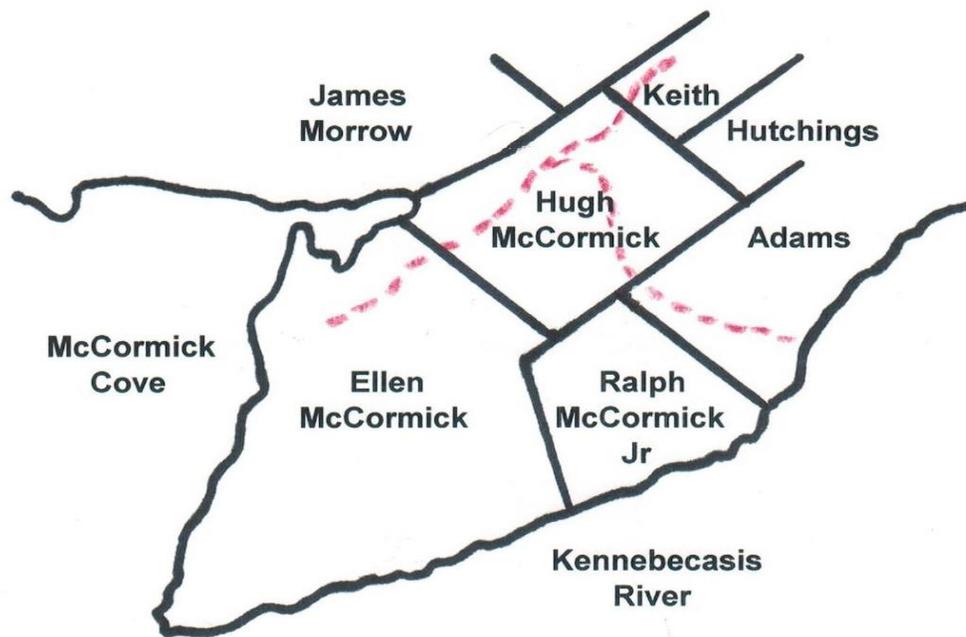


Figure 6 McCormick property on Kennebecasis Island in 1898. Dashed lines are roads.

The property that Ellen McCormick became the sole owner of, corresponds to PID 222653. Hugh McCormick's share of his father's land corresponds to PID 222596 and PIDs 30283022, 30286876, 30286884, 30286892 and 30286900, the latter five (5) properties having been carved out of PID 222596 in recent years. The land in PID 30283022 was originally part of lot 13.

#### 1. **Ellen McCormick's property** (PID 222653)

On August 16, 1910, Ellen McCormick transferred ownership of her property to her sister, Catherine (married to William Leonard) (**deed no. 63890** in deed book N6, page 428; deed registered on August 18, 1910). Catherine then sold the property to her and Ellen's brother, Charles (**deed no. 64561**, dated January 12, 1911 in deed book P6, page 283; deed registered on April 4, 1911). At the same time, Charles took a \$700 mortgage on the land from Catherine (**document no. 64562**, dated January 12, 1911 in deed book P6, page 284; document registered on April 4, 1911).

Catherine died in December 1914. In 1915, Ellen and Charles McCormick (plaintiffs) and William Leonard and his children, Charles Leonard and Minnie Cody (defendants, representing the estate of Catherine Leonard) entered into legal proceedings re entitlement to mortgage monies. In a March 21, 1916 decision (**document no. 70818** in deed book F7, page 593; document registered on August 30, 1916), the Court ruled that Ellen McCormick's property was to be held by Catherine Leonard as a trustee for her sister Ellen, that William Leonard had no right or title against the plaintiffs, that conveyance of lands by Catherine Leonard to Charles McCormick (on January 12, 1911) was made by Catherine Leonard as trustee and at the request of Ellen McCormick, that the mortgage on the land (dated January 12, 1911) was made to Catherine Leonard as trustee, that Ellen McCormick was entitled to mortgage monies and interest, and that the mortgage was a first lien and charge against the defendants. The defendants were also ordered to pay court costs of \$369.30.

On July 20, 1916, Ellen McCormick sold her property to her brother, Charles (**deed no. 70819** in deed book F7, page 595; deed registered on July 20, 2016).

In their will dated May 31, 1922 (**document no. 83533** in deed book 15, page 44; registered on January 23, 1928), Charles and Mary Elizabeth McCormick left their Kennebecasis Island property to their sons, Francis (Frank) and Ralph McCormick, as "joint tenants". Charles died on July 13, 1922 and Mary Elizabeth passed away on September 23, 1946. Frank died on May 30, 1947. Due to "right of survivorship" associated with "joint tenancy", Ralph McCormick became the sole owner of his father's property.

However, since Frank died "intestate", and to leave do doubt that Ralph was the sole owner of what had been Charles and Elizabeth McCormick's property, Ralph's sisters or their heirs [Katherine McCormick, a stenographer living in Arlington, MA; Marion McCormick, a clerk living in Arlington, MA; Mrs. Joseph Costantino (Lillian McCormick), a housewife living in Arlington, MA; Mrs. Alice Murray (Alice McCormick) living in Springfield, MA; Mrs. John Murphy (Elizabeth McCormick), living in Saint John, NB; Mrs. Marguerite Gillen (Marguerite

McCormick) living in Saint John, NB; Miss Ruth McGuiggan, daughter of Ellen (McCormick) McGuiggan] filed a “release” stating their desire that their brother, Ralph McCormick, shall have all rights associated with Frank McCormick’s share of the land on Kennebecasis Island (**document no. 102229**, dated July 18, 1947 in deed book 50, page 669; registered on August 7, 1947). At the time of the “release”, Ralph was living in Poughkeepsie, NY and his stated occupation was “mechanic”.

Ralph McCormick’s intention was to leave his land on Kennebecasis Island to his “surviving sisters as joint tenants and last survivor to have the property absolutely”. Ralph’s will (**document no. 146889**, dated May 8, 1951 in deed book 169, page 381; registered on September 8, 1970) states his intention with respect to his property. When Ralph died on July 17, 1970, his only surviving sisters were Katherine (Kitty) and Marguerite. Thus, on September 20, 1974, following the reading of Ralph’s will, the McCormick property was passed to Kitty McCormick and Marguerite Gillen (**deed no. 178865** in deed book 308, page 553; deed registered on June 16, 1977). After Kitty’s death on February 24, 1977, Marguerite became the sole owner of her father’s land. She willed the property to her son, Thomas (Tom) (**document no. 221281** in deed book 500, page 210; will dated February 10, 1978 and registered on January 30, 1984), who took ownership following his mother’s death on April 6, 1983 (**deed no. 221282** in deed book 500, page 214; deed dated and registered on January 30, 1984). On June 28, 2004, Tom and his wife, Freda, sold their property to Loanova Investments (**deed no. 18619420**; deed registered on June 29, 2004). Ownership was transferred from Loanova Investments to Andrew Gillen on October 15, 2011 (**deed no. 30764568**; deed registered on October 25, 2011). This parcel of land is assigned PID 222653. Andrew is the great great grandson of Ralph and Bridget McCormick.

**2. Hugh McCormick’s property** (PID 222596 and “infants” - PIDs 30283022, 30286876, 30286884, 30286892 and 30286900).

Hugh McCormick sold his share of his father’s land (see **deed no. 63457**, dated March 14, 1910 in deed book M6, page 260; deed registered on March 18, 1910) to his nephews, Charles G. McCormick and James R. McCormick, who were sons of his brother, Ralph, who owned the parcel of land to the south of Hugh’s land (see figure 6). In the deed, James’ occupation is given as “stone cutter” while Charles is described as a “checker”. James and Charles were not “joint tenants” but rather “tenants in common”. Therefore, there was no “right of survivorship” whereby the land would be wholly owned by one brother upon the death of the other.

Charles G. McCormick died “intestate” in April, 1965. The estate was settled in probate court where Charles’ son, heir and next of kin, Brien C. McCormick, was given the power to administer and to dispose of his father’s property (**document no. 153593**, dated May 31, 1965; deed book 197, page 187; registered August 31, 1972). Brien McCormick then took ownership of the one-half share of the land that his father had owned with his brother James.

James R. McCormick died on March 16, 1968. In his will (**document no. 309190**, dated March 31, 1965 and registered on December 9, 1994, in deed book 1162, page 470), he bequeathed his half interest in the land he had purchased from his uncle, Hugh, to his wife, Lillian, and to his surviving children, James Ralph Jr, Arthur Joseph and Mary Eleanor McKinnon. Ralph's children were from his marriage to Ellen Connell who predeceased him. Lillian passed away on September 3, 1990 and her interest in the land went to her three step children.

By deed, dated June 10, 1992 (**deed no. 290362**, in deed book 988, page 481; deed registered on July 24, 1992), Arthur McCormick and Mary Eleanor McKinnon transferred their interest in their father's property to their brother, James Ralph McCormick Jr. Thus, by 1992, ownership of Hugh McCormick's land had passed to Brien C. McCormick and James Ralph McCormick Jr, cousins. They each had a 50% share of the property.

In late 1994, the McCormick cousins split the land they co-owned. By deed dated November 10, 1994 (**deed no. 309191** in deed book 1162, page 474; deed registered on December 9, 1994), James Ralph Jr transferred his interest in the property to Brien McCormick and his wife, Gladys, as "joint tenants", except for a portion of the property defined as follows:

begin at the northwestern boundary of Thomas Gillen's property where it meets the western side of McCormick Road,  
then 225°08'00" along the northwestern boundary of the Thomas Gillen property 214 meters to a survey marker,  
then 315°20'00" along the northeastern boundary of the Thomas Gillen property 420 meters to the shore of McCormick Cove,  
then northeasterly along the shore of McCormick Cove 95 meters to lot 80-10,  
then 63°21'20" along the southeastern boundary of lot 80-10 32 meters,  
then 135°20'00" along a cut line 173 meters to the southeastern side of McCormick Road,  
then northeasterly, southeasterly and southwesterly along McCormick Road 530 meters to the place of beginning.

This parcel of land is said to be 9.5 hectares (23 acres).

At the same time, Brien McCormick transferred his interest in the portion of the property described above to James Ralph Jr (**deed no. 309192**, dated November 24, 1994, in deed book 1162, page 482; deed registered on December 9, 1994).

James Ralph McCormick Jr's property was assigned PID 30157192 (now retired), while Brien and Gladys McCormick's property was assigned PID 222596.

In early 1995, James Ralph McCormick Jr sold his land to John J. Murphy and his son, Michael J. Murphy (**deed no. 309624** in deed book 1166, page 492; deed registered on January 5, 1995). James Ralph McCormick Jr and John J. Murphy were both great grandsons of Ralph McCormick Sr.

On June 20, 2006, Brien and Gladys McCormick sold the property with PID 222596 to their son, John Hugh McCormick (**deed no. 22570775**; deed registered on August 10, 2006).

After John J. Murphy's death in June 2010, the property designated as PID 30157192 was subdivided into five (5) parcels of land with PIDs 30283022, 30286876, 30286884, 30286892 and 30286900. PID 30157192 was then "retired".

The property with PID 30283022 was originally part of lot 13, granted to John McCormick in 1837. This parcel of land was sold to Andrew Gillen on January 31, 2011 (**deed no. 29836773**; deed registered on February 25, 2011).

The other four (4) parcels were registered as a subdivision (**no. 30202585**) on June 13, 2011 and designated as lots 10-1 to 10-4. Michael J. Murphy retained ownership of lot 10-4 (PID 30286900) and sold the other three (3).

Lot 10-1 (PID 30286876) was sold to Madeline Elizabeth Artichuk on June 15, 2011 (**deed no. 30268933**; deed registered on June 29, 2011).

Lot 10-2 (PID 30286884) was sold to Noah Murphy MacLeod, Jonathan Adam MacLeod and Michaela Megan MacLeod (as joint tenants) on June 11, 2012 (**deed no. 31595284**; deed registered on June 15, 2012).

Lot 10-3 (PID 30286892) was sold to Jean Louise Artichuk-Murphy on June 15, 2011 (**deed no. 30268875**; deed registered on June 29, 2011) and then conveyed to Kevin George Artichuk on March 23, 2015 (**deed no. 34702044**; deed registered on March 25, 2015).

Lots 10-2, 10-3 and 10-4 are subject to a right of way agreement dated May 23, 2012 (**document no. 31535587**; document registered on May 31, 2012). The agreement provides for a right of way, known as "AppleJack Lane", across lots 10-2 and 10-4 to the sideline of lot 10-3.

### **3. Ralph McCormick Jr's property (PIDs 222554 and 222547)**

The land that Ralph McCormick Jr purchased from Arthur Irvine in 1889 is the property shown on the PID map as PID 222554 and PID 222547. In his will, dated December 2, 1912 (**document no. 69240** in deed book B7, page 466; registered on March 2, 1915), Ralph Jr left his property on Kennebecasis Island to his daughters, Mary Bridget (called "Bird" and wife of John Griffith) and Teresa (later married to Leo Fitzgerald). Mary Bridget and Teresa became owners of the property following Ralph's death on January 5, 1914.

A small portion of Ralph Jr's property was carved off on October 20, 1948 when Mary Bridget and Teresa sold 15/100 of an acre to Mary Geraldine and Henry Adams of Somerville, MA. (**deed no. 104340** in deed book 55, page 317; deed registered on October 22, 1948).

The property purchased by Mary Geraldine and Henry Adams (PID 222547) is described in the deed as follows:

begin on the northeastern line of the land conveyed to Ralph McCormick, Jr on June 26, 1889 (deed book T4, page 27) at a point thereon distant one chain of four poles measured northwesterly along said line from the bank or shore of Kennebecasis Bay,  
then along said line N34°50'W 2 chains 14 links,  
then S30°15'W 1 chain 92 links,  
then northeasterly 30 links to the place of beginning.

The deed also states that the Adams' will have access to, and use of, the beach on the southeasterly side and front of the lot, as well as right of way across the beach to the shore of Kennebecasis Bay.

On August 31, 1958, Teresa (McCormick) Fitzgerald sold her remaining interest in her father's property (PID 222554) to her sister, Mary Bridget (**deed no. 120042** in deed book 88, page 259; deed registered on October 17, 1958). Mary Bridget willed the property to her nephew, Paul McCormick, and her niece, Beatrice (McCormick) Kennedy (**document no. 132356**, dated January 29, 1964, in deed book 116, page 507; registered on February 25, 1965). Mary Bridget died on May 20, 1964. Paul McCormick died on May 30, 1973. Paul never married and had no heirs. Thus, as of May 1973, Beatrice Kennedy became the sole owner of that portion of her grandfather's property with PID 222554. Beatrice died on March 1, 1996. Her property is currently owned by members of the Kennedy family.

Mary Geraldine Adams (widow of Henry Adams) sold the 15/100 acres of land that she and her husband purchased in October 1948 to Ralph McCormick Jr's grandson, Brien C. McCormick, on April 11, 1964 (**deed no. 153562** in deed book 197, page 58; deed registered on August 30, 1972). Brien McCormick and his wife, Gladys, sold the land to their son, Kevin Alexander McCormick, on June 20, 2006 (**deed no. 22570858**, deed registered on August 10, 2006).