No. 68 of 1922.

In the Privy Council.

ON APPEAL

FROM THE WEST INDIAN COURT OF APPEAL

BETWEEN

THE DEMERARA BAUXITE COMPANY, LIMITED - (*Plaintiffs*) *Appellants*

AND

LOUISA MALVINA HUBBARD, Widow, HUGH CHESTER HUMPHRYS, and LLOYD TILGHMAN EMORY - (*Defendants*) *Respondents.*

Case of the Appellants.

RECORD.

1. This is an appeal by the Demerara Bauxite Company, Limited, against a Judgment and Order of the West Indian Court of Appeal (Sir Alfred Lucie Smith, Chief Justice of Trinidad and Tobago, S. J. Thomas, Chief Justice of St. Vincent, and Ll. C. Dalton, J.) given and made on the 1st of December 1921, whereby the said Court dismissed the appeal of the Appellants from a Judgment and Order of Mr. Justice Berkeley, sitting in the Supreme Court of British Guiana, given and made on the 9th of April 1921, whereby it was ordered that the action by the Appellants be dismissed, with costs to the Respondents Hubbard and Emory, but no costs to the Respondent Humphrys. (pp. 77 to 102; pp. 61 to 73)

2. This appeal is brought by leave of the said Court of Appeal granted conditionally on the 22nd of December 1921, and finally on the 22nd of April 1922. (p. 103; p. 104)

3. The action was brought by the Appellants by writ dated the 30th of June 1920, which claimed (*a*) an order that a sale purporting to be made between the Respondent Hubbard and the Respondent Emory of a piece of land known as Aurora, and the northern half of a piece of land known as Semerie, both on the left bank of the Demerara River in the Colony of (p. 1)

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