

hollow under the Cliff. This place was large enough to lay up three vessels of about fifty tons for the winter. The rest of this property was a rugged beach over which the water flowed to the foot of the cliff. There was no road there. The hollow that I make mention of may have been two hundred feet long more or less. The depth of this recess may have been about forty feet within the line of the rest of the property. The water overflowed this recess or hollow place also, and it was only at spring or high tides that small vessels could be taken into it for the purpose of wintering as I have already stated. I recollect being in a schooner with my father in the year 1798, which was moored in the above recess. A gale of wind came on in the night, broke her moorings and threw her up alongside of the cliff out of her wintering place above mentioned. The extension of Champlain street now goes over the whole of this property and it is all made ground at the foot of the cliff from Diamond Harbour to Gilmour's Cove between which two points the whole of Cap Blanc lies. Beyond doubt the construction of wharves at this place would improve the property as it would anywhere else.

No. 10.

ETIENNE PARANT.—I am the assistant Secretary of that part of this Province called Canada East and have been so since the year 1847. The nature of my duties as assistant Secretary of this Province is to receive all the correspondence relative to Lower Canada, and to prepare under the direction of the Secretary of the Province, the correspondence from the office and also to superintendence of the Provincial Secretary's office and the business therein conducted. The preliminary matters for the issuing of Letters Patent conveying estate from the Crown, pass through the Crown Land Office and also of the Executive Council. I have a general recollection of the Patent filed in this cause as Exhibit of the Attorney General No. 1. These Letters Patent passed in the usual form, references were made to the several public officers who reported upon the same in the usual way to the best of my belief before the said Letters Patent issued, and they were so issued according to the draft of the Attorney General, which was obtained in due form.

Previous to the issuing of the said Letters Patent the parties interested were heard before the Honorable the Executive Council of this Province, namely, on the 5th day of August 1845. They were heard by legal counsel at that time. I was present, being then Clerk of the Executive Council. The Honorable Mr. Caron and Mr. Cherrier, both Queen's Counsel, were heard on behalf of the Reverend Ladies the Ursuline Nuns, and Mr. Buchanan, also a Queen's Counsel, was heard, together with Mr. J. E. Baird, on the part of Mr. Baird, the Defendant in this cause.

CROSS-EXAMINED.—I think that after this hearing the matter was referred to the Home Government, and a despatch was subsequently received from the then Colonial Secretary, who I believe was then Lord Stanley, on that subject. There were several changes in the Ministry between the hearing in question and the issuing of the Letters Patent. I know that the said Letters Patent issued in February 1848, and I am under the impression that that is immediately before the LaFontaine-Baldwin Ministry came into power. I have not got the custody of the despatch of Lord Stanley. It is in the custody of the Private Secretary of the Governor, Colonel Bruce. The subject of this bench was, before the Executive Council before my appointment and I know that in 1843 there was a Report of a Committee of the Executive Council on the subject in question, a copy of which in print is now shewn to me marked "Plaintiff's Exhibit filed at Enquête No. 20," and which I have called and examined with the original Report in Council and which I am thus enabled to say is a true and correct copy of the original.