

“ ed with the interest of others, cannot be allowed to make the business  
 “ an object of interest to himself, because from the frailty of nature, one  
 “ who has the power will be too readily seized with the inclinations to  
 “ use the opportunity of serving his own interest, at the expense of those  
 “ with whom he is intrusted.”

“ The danger of temptation from the frailty and advantage for doing  
 “ wrong, which a particular situation affords, does out of the mere  
 “ necessity of the case, work a disqualification ; nothing less than inca-  
 “ pacity of being able to shut the door against temptation, where the dan-  
 “ ger is imminent and the security against discovery great, as it must be  
 “ where the difficulty of prevention or remedy is inherent to the very si-  
 “ tuation which creates the danger.”

“ The wise policy of the Law has therefore put the sting of a disa-  
 “ bility into the temptation, as a defensive weapon against the strength  
 “ of the danger which lies in the situation.”

It does not appear to your Committee that in point of fact the Je-  
 suits had given to the Indians a tract of Land in lieu of the fief of Syl-  
 leri. If they had not, then the Grant obtained from the King of  
 France is founded upon a *suggestio falsi* on the part of the Grantees,  
 viz :—the purchase of other Lands for the Indians by the Priests,  
 which of itself would be sufficient to invalidate the title.

The Huron Indians did not remove to Lorette till the year 1670,  
 as appears by the examinations taken before the Committee in 1819.  
 They were first moved back from Sylleri, to the Côte St. Michel,  
 (Parish of St. Foi) thence to Ancienne Lorette, and thence to their pre-  
 sent residence.

And lastly, the King of France had not the power to make the grant  
 in question, inasmuch as the Fief Sylleri had been previously granted to  
 the Indians.

And inasmuch also as the King of France never had, or pretended to  
 have, the power of revoking his grants *ex mero motu*.

It is to be observed that the Seigniorship of Sylleri, as granted to the  
 Indians in 1651, contained four leagues in depth, whilst it is described in  
 the grant to the Jesuits of 1699, as containing only one and a half leagues  
 and as bounded in the rear by the Seigniorship of St. Gabriel.

Upon referring to the original title of St. Gabriel, bearing date 11th  
 April 1647, it will be found that that Seigniorship is described as follows :

“ Two leagues of Land in New France, beginning from the same places as his present concession, extending along the same as near as possible, by ten leagues in depth towards the north-west, to have, hold and enjoy the same to himself his heirs and assigns for ever. “ At the close of this title it is said ” we enjoin Mr. de Montmagny the King’s Governor at Quebec, and for our general company, that he do put the said Sieur Giffard into possession of the lands above granted, and that he do assign unto the said Sieur Giffard the title and limits thereof, “ and that of the *Procès Verbal* to be thereof made, he do return unto