

Perceiving that the military authorities at Kingston had determined to disregard the contract made by you (on the part of Her Majesty's Government) with me, and to treat it on the present occasion as a piece of blank paper, as if the engagements made on the part of Government were unworthy of consideration, I submitted my contracts with Government, for the transport of troops, &c., to the Honourable Mr. Sullivan, Queen's Counsel, and for many years President of Her Majesty's Executive Council of Canada, for his opinion thereon; and I beg leave to furnish it for the consideration of the authorities at Kingston, to whom I allude:—

“DONALD BETHUNE, Esquire, of Toronto, requests my opinion, under the following circumstances:—

“He has been for many years an extensive owner of steam vessels navigating Lake Ontario; and, besides the general business of the lake, he has been a contractor with Her Majesty's Post Office for the conveyance of the mails, and with Her Majesty's Commissariat Department, for the transport by water of troops, baggage, horses and military stores.

“In the early part of this year, in pursuance of advertisements published by H. M. Commissariat Department, he tendered for the conveyance by water of troops, baggage, horses and military stores, to and from the several British ports on Lake Ontario; and his tenders being accepted, he entered into three several contracts, for the present season, with Assistant Commissary General Bailey and Assistant Commissary General Thomson, acting on behalf of Her Majesty.

“One of the contracts was for the conveyance of troops, &c., between Kingston, Cobourg, Port Hope, Whitby and Toronto; another contract was for the conveyance of troops, &c., between Toronto, Port Credit, Oakville, Wellington Square and Hamilton; and another, for the conveyance of troops, &c., between Toronto, Port Dalhousie, Queenston and Niagara;—upon which several routes he had lines of boats running, and made every preparation for the fulfilment of the contracts on his part, in the full faith and expectation that he would be employed in the whole transport and conveyance of troops and stores on Lake Ontario, which might be required by H. M. Government, with the exception of the transport between Kingston and the Bay of Quinte, which was the subject of a contract with other steamboat owners.

“He was bound with surties under a heavy penalty in each of these contracts, to convey on board steamboats, all such