

the benefit of one party, could, almost at the same moment refuse the same thing to another party, by the granting of which the Crown Revenue would be augmented, and more particularly when all the circumstances attending the latter case are taken into consideration; but inexplicable as it appears, it is a fact. As the motives of the Council are not to be impugned, this transaction exhibits a deficiency in judgment so gross, that it ought to alarm both the Crown and its subjects, whose interests are submitted to their controul. To imagine that these grants to Messrs. Pemberton and Sharples were obtained by surprise is impossible, as it happens that the present Chairman of the Executive Council holds at the same time the two offices of Master or Chairman of the Trinity Board, and Commissioner for the management of the Jesuits' Estates. As Chairman of the Trinity Board, to which body all applications for grants of this nature are referred, he must have reported favourably on Messrs. Pemberton and Sharples' petitions, and when he was doing so, and also when he was in his office of Executive Councillor recommending the Governor to make the grants, he must have known, he had the means of knowing, and it was his duty to know, as Commissioner of the Jesuits' Estates, that he was committing an act by which a large amount of the revenue of those estates (which it was his duty as a faithful Steward to protect and augment,) would ultimately be sacrificed.

In firmly resolving never to submit to injustice, it is fortunate for Bonner and Petry that there is a higher power in the Province than the Executive Council, and in appealing to that power they are doing their duty to themselves, and the community, by bringing under the notice of the representative of their sovereign, the acts of public men, which have a tendency to destroy that feeling of security in person and property, which has hitherto happily existed in all parts of the British dominions, and to bring Her Majesty's government into contempt and disrepute. In doing so, they merit the protection and support of the Crown, and the encouragement of their fellow subjects.

JNO. BONNER,
WM. PETRY.

Quebec, 30th December, 1840.

APPENDIX.

A.

EXTRACT of a Report made by a Committee of the Executive Council, dated 31st July, 1835, on the Memorial of Mr. Fraser, and the Ursuline Nuns, approved by His Excellency the Governor in Chief.

The Committee having carefully perused, and on different occasions deliberated upon the various papers connected with the application of Mr. Fraser, and the Ladies of the Ursuline Convent, and also of Mr. James Reynar, respecting the Beach lot at L'Ance des Mères, claimed by Mr. Fraser, under a conveyance made to him by the Ursuline Nuns, and having had particularly under consideration the report made by the Attorney General, on the 21st Oct. 1834: They humbly recommend to your Excellency, that Mr. Fraser do obtain a grant from the Crown, of the beach or space between high and low water mark, along the whole front of the property acquired by him at L'Ance des Mères from the Ursuline Nuns, upon the following terms and conditions, viz: That after the said beach, with all the improvements thereon shall have been valued in the usual manner, Mr. Fraser shall pay an annual rent, to be calculated on the amount of such valuation at the rate of six per cent. thereon, and upon the other usual terms, reservations and conditions, provided that Mr. Fraser do take up the Letters Patent for such grant, within six months from the time of your Excellency's approval of this report.

Should your Excellency approve of this recommendation, the Committee conceive that it disposes sufficiently of Mr. Reynar's claim to a part of the beach in question, and the improvements thereon, and they therefore conceive it to be unnecessary at present to submit to your Excellency any particular report thereon.

Certified,

(Signed) GEORGE H. RYLAND.