

copy of which is subjoined, and the Beach below high water mark was adjudged to be Crown property.

That after this solemn decision, Your Memorialists being acknowledged as the Riparian proprietors of the land in rear of the high water mark, they did not deem it of moment to contest the decision in Appeal as they anticipated that no possible objection would be raised to making them *the declared Riparian proprietors*, a grant of the Beach property in front of their own—a property which they had so long enjoyed without hindrance or molestation from the Crown.

That Your Memorialists after the Judgment in Appeal applied to the Crown through the Messrs. Frasers, who had acquired the property from your Memorialists, by Petition, expressing their desire to obtain a concession of the beach in front of their property, at such a valuation as might be affixed, but the question being referred to the Executive Council by His Excellency Lord Sydenham, that body on the 11th June 1841, made a Report, which was approved by His Excellency the Governor in Council whereby the prayer of their petition was rejected for the following reasons :—

1st.—That the property should be permitted to be purchased by Jean Baptiste Laporte, the Government being pledged to give him the said Laporte a preference in case of the disposal of the Beach lot, for that on the 1st March 1839, it was determined that the whole of the lot should be leased for a term of twenty-one years, at the rate of £100 per annum to Laporte, on his paying arrears at the rate of £10 per year for eight years, in consideration of large outlays made by him on the property.

2d.—Because the Messrs. Frasers, by assuming to acquire a title to property in opposition to the rights of the Crown, that property being at the time in liti-