

## LOSS \$100,000 TO THE FOUNDER'S ESTATE.

That protest No. 9117, as aforesaid, sets forth that the Founder's estate suffered a loss of nearly one hundred thousand dollars through those false accounts of Menzies.

## THE HEIRS OF THE FOUNDER.

That at the very moment the said trust became broken, the Founder being dead, his whole estate reverted to and became vested in his heirs :

That, in this case, the Founder being dead—there was no *power in existence* which could have *reversed* and *restored* the broken trust: the Founder alone could have done this:

That the Fraser Institute illegally holds possession of the Founder's estate, which belongs to his heirs:

That the said Fraser Institute concealed the fact from said heirs that the said trust had been broken: therefore the said heirs were *totally ignorant* for fully fifteen years that the said trust had been broken, and that the Founder's estate had reverted to and became vested in them, said heirs, who are alone entitled *by right* to claim the Founder's estate.

## A RIGHT NEVER DIES.

"That of such an high estimation is Right, says Sir Edward Coke, that the law preserveth it from death and destruction: trodden down it may be, but never trodden out: and there is such an extreme enmity between an estate gained by wrong and an ancient Right, that the Right cannot possibly incorporate itself with the estate gained by wrong: a Right may sometime sleep, though "it never dies!"

Therefore, such is the Right the heirs of the late Hugh Fraser have to his estate, it ever lives; it may sometimes sleep, though it never dies!

## TO SUM UP.

1st. The trust became broken and forfeited when the Founder's estate was conveyed over to the Fraser Institute under those false accounts of Menzies.

2nd. The trust became broken and forfeited when Richard B. Angus was elected a governor when there was no vacancy to be filled on said board.

3rd. The trust became broken and forfeited when the Fraser Institute first mortgaged and pledged the Founder's estate for over \$60,000.

4th. The trust became broken and forfeited when the Fraser Institute first sold or parted with any portion of the real estate of the *Trust Deed*, having only the right to use the revenue of the estate as far as they will serve.

## THE ESTATE BELONGS TO THE HEIRS.

That I, as representing my co-heirs, claim that the whole of the estate of the late Hugh Fraser, the Founder of the Fraser Institute, reverted to and became vested in his heirs when the said trust became broken:

That I have a transfer from my co-heirs of all their rights and interests in the Founder's estate for any action I may take for the recovery of his estate:

That the Fraser Institute should be called upon:

1st. To produce those "suppressed accounts" of the Founder's estate as made out by Riddell and Evans, public accountants, which accounts are referred to on pages 15 and 16 of the First Report of the Fraser Institute.

2nd. To produce a copy of the Deed of Transfer, No. 8882, from the Executors to the Trustees, passed before W. A. Phillips, Notary, on the seventh day of December, 1874.

3rd. To produce a copy of the Deed of Transfer, No. 8913, from the Trustees of the Founder's estate to the Fraser Institute, passed before W. A. Phillips, Notary, on the eleventh day of December, 1874.

That, by the above, it may or can be established without question, whether the Founder's estate was conveyed over to the Fraser Institute under those false accounts of Menzies.