

John Malcolm Fraser, for *Commercial purposes*, should be taken from them and granted to a party, Jean Baptiste Laporte or his assignee, the said Jean Baptiste Laporte being up to the 30th April 1838, a sub-lessee of Your Memorialists, deriving all title to the said property from them, and bound under the terms of the said lease, to deliver up the property at the expiration thereof, *with all improvements made upon the same.*

That it is necessary for a perfect understanding of Your Memorialists' case that they should represent to Your Lordship that from the period of the cession of this Province in the year 1763 to the year 1827, the title* to the property of which Your Memorialists were in possession was never called in question, and that in 1808, Your Memorialists leased the property in question to the Honorable W. B. Coltman, for a period of thirty years, which lease† was subsequently assigned by Mr. Coltman to Jean Baptiste Laporte.

That in the said year 1827, proceedings were had by the Crown against Jean Baptiste Laporte at his own instigation, as it would appear by the Report of Council of the 11th June 1841,‡ (annexed) (a report which like that of the 13th December 1841, Your Memorialists will have frequent occasion in the course of this Memorial to advert to,) to eject him from the property in question.

That by a Judgment of the Court of King's Bench rendered in 1828,§ the whole property was declared to be vested in the Crown, but subsequently, on the 30th July 1840 *in Appeal*, a Judgment|| reversing that of the King's Bench was given, whereby it was determined, that Your Memorialists were the legal proprietors of the property lying above high water mark as defined on a plan annexed to the said Judgment,¶

* Appendix (No. 2.)
§ Appendix (No. 5.)

† Appendix (No. 3.)
|| Appendix (No. 6.)

‡ Appendix (No. 4.)
¶ Appendix (No. 7.)