

Appendix  
(W.)

29th April.

that in consequence of a Market House having been built on these lots, upwards of twenty years ago, by the Magistrates of the District, and as the Board of Police had for many years leased parts of them, the general belief among the Inhabitants was, that the Government had given them to the Town, and that they were not vacant or grantable; this certainly was my own impression, and it was strengthened by the fact of there being several other lots in the list sent to me in January 1841, which were either public property, or for which Location Tickets had been granted. Among others I may mention number 16, north side of Water Street, on which the Gaol and Court House have been erected, and numbers 18 on the same Street, on which a house has been standing for more than twenty years, and for which a Location Ticket is out. Having this reason for believing that numbers 10 and 11 could not be sold, I placed the same value on them as upon numbers 16 and 18, viz: £25. I may further state as another reason for valuing them so low, that at the time I was directed to make the valuation (that is, in January, 1841), the St. Lawrence Canal, which runs in front of Water Street, was unfinished, and there was at that time little prospect of its completion. It is now finished, and, of course, adds greatly to the value of all property near it. I beg further to say, that I was so thoroughly convinced that the Town had a Title for lots numbers 10 and 11, that I told Mr. Caleb Knight, to whom a part of number 10 had been let by the Board of Police, upon his asking me whether these lots were for sale, that they could not be sold, as I believed the Board of Police had some Title to them. And, in conclusion, I beg to state that, at the time when Mr. J. S. Macdonald applied to me for a certificate respecting these lots, he did not mention to me the purpose for which he wanted it, and that I was utterly ignorant of his intention to purchase them, or of the sale of them by Government, until I received the official account of the sale from the Commissioner of Crown Lands in October last; and that if I had been aware of his intention to purchase them, I would not have given him any certificate. I will also state that, in a conversation which I had with Mr. Macdonald some days after the official account of the sale had been received by me, he remarked, "you did not know what I intended to do with the certificate you gave me respecting the Market lots,"—my reply was, that I was perfectly ignorant of his intention. I also told him that as he knew the situation of these lots, he should have applied for them for the Town.

(Signed,) JAMES PRINGLE,  
Agent, E. D.

CORNWALL, 5th January, 1846.

## D

(Suggestions as to Market Lots.)

1st. That Lots Nos. 10 and 11 were reserved by the Executive Government for Market Lots. (Vide original Map.)

2nd. That in pursuance thereof, a special enactment was made authorizing the Commissioners of the Peace for the Eastern District to build a Market on the Lot or Lots so reserved. (Vide 58 Geo. 3, chap. 4.)

3rd. That in pursuance thereof in 1819, a Market-House was built, at an expense of about £80 currency, upon Lots 10 and 11, so reserved, and considered as granted by the Government for that purpose. (Mr. Justice M'Lean will prove this, who was instrumental in having the above Law passed for that special purpose, and others.)

4th. That in 1834, a Board of Police was established by special enactment (Vide 4 Will. IV, ch. 25.), since which period the Lots in question have been under the control and management of the Board of Police, and leased to different individuals. (Vide Corporation Records.)

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5th. That the Rents received from the different Tenements, amounted from £30 to £40 per annum, including the Rent received from the Market-House until of late years; 4 of the buildings were destroyed by fire, which reduced the Rent at present to £18 15s., which has always been applied towards the funds of the Corporation. (Vide Corporation Records and Thomas Kennedy, Collector for the different years.)

6th. That in building a Market-House in the Western part of the Town, the Corporation never anticipated the relinquishment of the Lots in question, and used as an argument at the time a Public meeting was called, that the Rents accruing from those Lots would pay the interest of the purchase of a Lot, and expense of building in the more central part of the Town, and that in the course of a few years, the Lots in question would also be resumed as Market Lots. (Sheriff M'Martin, chairman of the meeting, and others present, can prove that.)

7th. That the above circumstances were well known to J. S. Macdonald, as he was President of the Board of Police for the last year, and instrumental in collecting the Rents, &c. from the Lots in question, and could never have supposed for a moment, the Corporation had abandoned their claim, either by act, word or deed. (Vide Corporation Records.)

8th. The said J. S. Macdonald never made arrangements with the Tenants upon the Lots in question, until after the Patent had been issued; and then, by production of the Deed itself, coerced them into a promise of acknowledging him as their Landlord, and threatened to turn those off immediately who refused compliance. (Vide Tenants, and particularly Philip Walsh.)

9th. The communication of J. S. Macdonald to the Commissioner of Crown Lands would induce the Government to infer that the Tenants in question were mere Squatters, who had erected temporary buildings or huts during the progress of the Canal, and that no objections would be made by the Corporation to the Government disposing of the Lots in question. (Vide his communication to Mr. Davidson.)

10th. That the whole transaction was an underhanded devised suppression of real facts, hurried intentionally through with great rapidity, for fear of detection. (Vide Donald M'Donald, Esquire, and others, to whom he has boasted of the manner the same was accomplished.)

11th. That the Commissioner of Crown Lands was consequently deceived, and did not comply with the Statute 4 and 5, Vict. chap. 100, on the disposal of Crown Lands, by advertizing the same, agreeably to the provisions thereof. (Vide 24th, 25th and 29th Sections.)

## E.

We, the undersigned, members of the Board of Police and others, do hereby certify, that at the Public meeting called by the Sheriff of the Eastern District relative to the Market Lots, it was fully understood and at the time explained, that Lots Nos. 10 and 11, were not relinquished by the Corporation as Lots intended for a Market, and that the Rents then accruing from them was considered sufficient, and intended towards paying the interest of the purchase of a Lot in the West end of the Town, and the expense of erecting a Market-House, and other purposes of the Town.

(Signed,) R. CLINE, President.  
SAM. HART, M. B. P.  
JAS. E. DUNN, M. B. P.  
WM. MATTICE, M. B. P.  
A. M'MARTIN, Sheriff E. D.

Cornwall, 5th January, 1843.