

The unquestionably well-founded claims of Mr. J. B. Laporte upon Government, exhibited in a series of transactions which originally commenced in the year 1827, and which were finally completed in perfect good faith by a sale of the property alluded to, by the Crown to the above-named individual, (the three essentials recognized in law to form a binding contract of this description, that is *the price agreed upon, the object of purchase, and the consent of parties* having been all effectively made, so as to render the same legally complete and perfect in every respect,) have, however, prejudicially to Laporte, being considered by the Honorable Committee as a sealed letter,—as acts no ways binding upon Government, and in which neither the public faith nor the honor of the Crown is in anywise concerned or brought into question.

The Honorable Committee in their Report, it is respectfully submitted, although no new matter or fact has by their enquiries been developed, either to weaken the claim of Laporte upon Government, or to vary in any respect the real question, thereby causing it to differ from all other Reports of the Province on the same subject, evince, in their consideration of the question, not only a desire to hold out to the opponents of Government a *premium* for encroachments, made in bad faith upon the domain of the Crown,—for judicial contests wilfully prolonged, without right or justice on their side, but (under circumstances) also advise the *equitable* expediency of Government cancelling its solemn engagements with Laporte. This, certainly, would be an act overhauling the measure of justice; and which would, indisputably, entitle such Report to rank unparalled as a public document in the records of the country.

It is furthermore observed that, inasmuch as the Report of the Honorable Committee has (regard had to the position of the parties before Government at the time) been not only premature in its birth and adoption, but as the same would evidently, from its manifold errors and discrepancies, also compromise the honor, dignity, and justice of the Crown, it is humbly suggested that these circumstances alone, were there none other, unquestionably warrant His Excellency, the Administrator in Chief of the Province at this time, not only in ordering a revision and reconsideration, in a Committee of the whole Council, of the merits of the Report in question; but also, by a transmission of the documents for the Home Government, effectually to refer the whole case, in its present state, to the consideration and decision of Her Majesty's Secretary of State.*

In taking a retrospective, but impartial and rational, view of past occurrences, and of the whole proceedings in connection with the entire transaction between the Crown and Laporte, it becomes necessary, as weighty matter of consideration and serious deliberation, with Government, in the present stage of the question, and *at this period* to decide—

Firstly—Whether the original understanding, commenced and entered into between Government and Laporte in 1827, and honorably and faithfully maintained by both parties, during a consecutive period of sixteen years, and in the course of which, and at the instance of the Crown, and to the satisfaction of Laporte, agreements of the most binding character have been made and completed, is or is not, as an act and measure of Justice to Laporte, to be now recognized and ratified by the Crown.

Secondly.—Whether the various and recorded Reports of the Executive Council of the Province, framed upon the written opinions of the Law Officers of the Crown, in the persons of Her Majesty's Attorney General and Inspector General on this subject, and effectively borne out and maintained by the decisions of the legal tribunals of the country,

* Subsequent to the address of the House of Assembly, based upon the Petition of the Ursuline Nuns, to the late Sir Charles Bagot, requesting that no grant of Letters Patent for the Beach lot at *L'Anse des* should be made, Mr. Laporte, through his agent, the latter having remained in Kingston for several months in the autumn of 1842, for the express purpose of ascertaining whether Letters Patent would issue or not, was informed that no further steps would or could possibly be taken before the next sitting of the Legislature. Mr. Laporte, placing implicit confidence in the good faith of this statement, coming as it did from Executive authority, remained in the interim inactive; when to his great surprise and without further intimation, he was informed by his agent, that the present Report was made, and for the reception of which he was wholly unprepared. His Excellency Sir Charles Metcalfe, the present Administrator in Chief of the Province, having but lately assumed the reins of Government in the country, could not possibly have possessed a true knowledge either of the actual facts or the real merits of the case.