

exonerate the Government from any further claim hereafter for any danger or damage which may happen to the house or property, in cutting away or mining the rock.

(Signed,) D. MAGUIRE.

To the Secretary of the Board of Works,
Quebec.

[*Translation.*]

QUEBEC, 24th April, 1855.

Sir,—I herewith enclose the letter of Mr. Denis Maguire, which was referred to me, and have the honor to inform the Honorable the Chief Commissioner of Public Works, that, after having again visited and examined that portion of the rock which the said Denis Maguire pretends to be in a dangerous state, and prays to have removed at the cost of Government; I am of opinion that the danger with which the property of Mr. Maguire is threatened is in no manner brought on by the property at Spencer Wood, and that it is exposed to no other danger or inconvenience than those occasioned by the falling off of the rock, which may be occasioned by degrees by the weather, and also by the natural flow of the waters from the drain on the surface of the soil, as are also all the other proprietors, who have exposed themselves to all this danger and inconvenience by building at the foot of a cape. The portion of rock which the said Denis Maguire pretends to be dangerous, and asks to be removed at the expense of the Government, is situated entirely on his property. I am of opinion that the Government is not responsible for all the damages which may be caused to property situate at the foot of the cape by the falling away of the rock, occasioned by the frost and the flowing of the water from the drain.

Respectfully submitted.

(Signed,) P. GAUVREAU.

To THOMAS A. BEGLY, Esquire,
Secretary, Public Works Department.

[*Translation.*]

QUEBEC, Vieux Chateau, 14th March, 1856.

Sir,—I have examined the Petition, herewith enclosed, of Mr. Denis Maguire, and have seen Mr. Atkinson who informs me that a strip of land has been reserved between the property of the Government, (Spencer Wood) and that of Dennis Maguire, to prevent the damages which might be caused by the proprietors at the foot of the Cape. That part of the Cape which the said Denis Maguire alleges to be dangerous to his property, is contained within this strip of land lying between the properties, and reserved by Mr. Atkinson for their protection. I am therefore of opinion that the Government cannot authorize Mr. Maguire to remove or cause to be removed the whole or any part of the Cape which threatens to descend upon his property, without obtaining Mr. Atkinson's permission. This Mr. Denis Maguire admits himself.

I have, &c.,

(Signed,) P. GAUVREAU.

To the Honorable F. LEMIEUX,
Chief Commissioner of Public Works.