

To His Excellency, the Right Honourable Sir Edmund Walker
 Head Baront. General of British North
 America. &c &c &c In Council.

The Petition of Duncan McArthur of the Township of West Zena
 in the County of Capre Breton

Humbly Sheweth

That on the 2^d of July 1852, your Petitioner placed in the hands
 of the then Secretary of the Province a Memorial on behalf of himself
 and a brother and sister, praying that the Lands and personal Estate of
 Robert Mitchell, the illegitimate child of your Petitioner's Mother,
 then deceased, who died childless and intestate, and which had by
 reason of such illegitimacy and intestacy, escheated to the Crown,
 might be granted to him your Petitioner, and his brother and sister.

That your Petitioner received a reply from the then Secretary
 dated 31st of July 1852, acknowledging the receipt of such Memorial,
 and in that Letter are the two following paragraphs.

No 1. "In reply I am to inform you that it will be necessary for you to
 furnish affidavits in support of the facts stated in your Petition before it can
 be entertained"

No 2. "I may add also that in the event of the Prayer of your Petition
 being granted, all the expenses necessarily incurred in the proceedings
 should be paid by you"

The necessary affidavits in support of your Petitioner's application
 were furnished.

Nothing having been done after the transmission of these affidavits,
 your Petitioner in the Month of June 1853, sent an agent to Quebec for the
 purpose of urging the Government to recognize his claim in the Land in
 question (namely the South half of Lot No 9. Town of West Zena) and
 at a very considerable expense) In the Month of June 1853 a Commission
 of Escheat was issued, executed and returned to the Crown office shortly
 after with the finding of the Jury.