present day, even in the parts of the reservations which have not been actually cultivated or improved, if resisted by the legal owner of the adjoining land as representative of the original grantee, would from such cause alone, be most difficult. In some of the grants the Crown gave the fee simple in the 500 feet over which the easement was to extend; in others the 500 feet was reserved to the Crown, but only for the same purpose for which the easement in the first case was intended; therefore the Crown itself would be stopped from granting the reserve, in the latter case, for any other purpose than that of the fishery.

To settle complications which have sprung, and might hereafter spring from the perpetuation of these reserves, the undersigned are clearly of opinion that in those cases where the original grants passed the entire fee of the lot or township, reserving over the 500 feet the easement only, the land constituting such reserve should henceforth be held by the legal owners thereof, and those claiming under them, free from such easement or any claim thereto.

The policy of breaking up the reserves being assumed, it is with reference to the class of grants, where the fee remained in the Crown, that in carrying out such policy the principal difficulties will arise.

It is to be borne in mind that in the Island there is no Statute of Limitations against the Crown. No title by possession to these reserves can, therefore, have been acquired as against the Crown; some steps must now be taken to give title. To whom is it to be given? By the surrender of the casual and territorial revenues to the Island, on the establishment of responsible Government, these reserves became the property of the Local Government, and if juries could be found to carry out the law, possession could or ought to be recoverable in the ordinary way, by which the Crown expels intruders from the public domain. Such a course, however, in the present case, would lead to great confusion, and in many instances to gross injustice. In the cases of the grants last mentioned, though the fee remained and still is in the Crown, yet the possession since the issuing of the grants has been in the grantees of the lands of which the reserves form the sea front, or their representatives. The lessees of such persons have held, improved, and occupied under them as owners. To give to the original grantees, or their representatives, an unconditional fee at the present time, would be gross injustice to the lessees. To give to the lessees would be equally unjust to the owners in fee, as placing a clear belt of freehold between their lands and the sea, and virtually putting them at the mercy of the tenants.

The equitable rights of both parties ought to be respected. The restriction of the Crown to grant for any but fishing purposes ought to be abolished. The only mode by which justice can be effectually done, is to put an end to such reserves, and let the land be held in fee, as if the same had absolutely passed at the time of the original grants, and that the grantees, their representatives or tenants, shall be bound by all contracts which may effect the same as if the reserves had been included in such