

claim of twenty acres, the said Green expended a considerable amount of money in exploring the said land by a diamond drill and otherwise, and in making the said discovery, and in complying with the said Mines Act and the regulations passed in pursuance thereof.

14. As a matter of fact no Order-in-Council was posted up in the Recorder's Office at Haileybury at the time of the said discovery showing Cobalt Lake to have been withdrawn.

15. It now appears that on the 14th day of August, 1905, an Order-in-Council was passed withdrawing from exploration the Gillies Timber Limit and also Cobalt Lake and Kerr Lake. The said Order-in-Council was not at the time published in the Ontario Gazette. Two weeks later and on the 28th day of August an Order-in-Council was passed withdrawing the Township of Coleman and three other townships from exploration. On the 30th day of October, 1905, an Order-in-Council was passed authorizing the recording of mining claims in said Township of Coleman and said three other townships and constituting said Township of Coleman a special mining division. The Order-in-Council of 14th August, 1905, expressly recites that it was passed in view of the "desirability of exercising careful judgment in arriving at a conclusion with reference to the adoption of a scheme or system of dealing with the mining question." The conclusion arrived at was expressed in the Order-in-Council of 30th October, 1905, the legal effect of which was to throw Cobalt Lake as part of the Township of Coleman open for exploration and to make Cobalt Lake (which is wholly included within the Township of Coleman) a part of the said mining division in which a license had at the date of the discovery by said Green, a statutory right to stake out a mining claim.

16. There were notices posted up showing that the Gillies Limit had been withdrawn but your Petitioners submit that the reason that Cobalt Lake was not mentioned in these notices as withdrawn was that Cobalt Lake was thrown open for exploration by the Order-in-Council of the 30th October, 1905.

17. The Bill above referred to has been passed by the Ontario Legislature being entitled "An Act to confirm the title to Cobalt Lake and Kerr Lake."

YOUR PETITIONERS SUBMIT:

(a) THAT the Crown having consented to the said Mines Act, the said regulations and the said Order-in-Council of 30th October, the honour of the Crown and credit of the Province were pledged to the safeguarding and protection of the rights of your Petitioners acquired thereunder and that said Act now petitioned against is degrading to the honour and dignity of the Crown.

(b) THAT the said Act purports to confiscate the rights and properties of your petitioners without compensation.

(c) THAT your petitioners are entitled to have their rights