

to us to purchase, and but for this, we should not have made the purchase of the Montreal Company's lands at all. Indeed, without the right to mine under water, Silver Islet would be practically worthless, being so small.

(2.) At the time we purchased we had no doubt whatever, and we believe the gentlemen who composed the Montreal Company's Board had no doubt, that we should get from the Government all the rights and privileges that might be necessary to the full development and enjoyment of the property.

We think we were justified in believing this for various reasons. In the first place, the Montreal Company, as riparian owner, had as I understand the law, the right as against all other persons to this appurtenant land.

In the next place, as adjacent owner, it had the right, established by the custom of the Crown, to follow veins under water on the property of the Crown.

It was the well known policy of the Crown to give encouragement to the development of properties of this kind, as is shewn in the Act itself which incorporated the Montreal Company, and which recites that, "it is of great importance to this Province that its mines and mineral wealth should be properly worked and brought into use."

In addition to this, it was well known to the Government that we were expending large sums of money in permanent improvements and we have letters from the Crown Lands Department referring to the works going on at Silver Islet without giving us any intimation of any objection.

3. A glance at the map, with the following explanations, will shew two things.

(a.) That a grant of this appurtenant land would be useless for any beneficial purpose to any person who did not also own the islands or main shore, and

(b.) That the use of this water covered land is indispensable to the proper development and enjoyment of the islands and part of the main shore.

Silver Islet is about 650 yards from Burnt Island, which is about 200 yards from the shore.

Burnt Island belongs to us, and has an outcrop of the vein which is being worked on Silver Islet, and which is also being worked on the main shore, on which a shaft has been sunk.