

## **WHEN THE OFFICIALS GOT IN.**

The first discovery of silver at Cobalt, as is generally known, was made in the course of the construction work on the provincial railway. So soon as it became known that the discovery was valuable, there was a grand rush for locations, and the officials under the Ross Government, in charge of the railway work, being on the ground and having therefore a special chance, succeeded in getting hold of many of the promising claims. Among others the "O'Brien crowd," as they have since been called, located four claims, containing in all 277 acres, and succeeded in getting patents for them in the dying hours of the Ross Government, some being issued even after the defeat of that Government. The patents were issued in spite of the protests of several prospectors, who asserted that the O'Brien people had made no discoveries of mineral whatever and that patents should not be issued to them. They further claimed that they themselves had made such discoveries and were entitled to the lands, and that the O'Brien applications were "blanket" applications of the most pronounced kind. These prospectors afterwards transferred their claims to the LaRose Mining Company on a cash and partnership basis, and as the LaRose people had plenty of money, a big fight for the valuable O'Brien property was on.

When it is desired to attack a Crown patent, a fiat must be obtained from the Crown to commence the action, and in 1905 the LaRose people applied for such a patent in the O'Brien case. There were many other properties in the Cobalt region in the same situation, and it looked as if the whole district would be tied up in a tangle of law suits and development retarded for years. Had the Government issued the fiats asked for and the private parties attacking the titles succeeded, the Government or the province would have received no benefits. So the Government withheld the fiats and took legislation enacting that where patents were set aside in any such suit the legal effect would be to restore the lands to the Crown.

## **O'BRIEN'S SUGGESTED COMPROMISE.**

The Government, of course, reserved to itself the right to deal equitably with the persons putting forward the adverse claims, but was not prepared to wholly relinquish the public interest in valuable properties which had been obtained by misrepresentation. The LaRose people were then asked to put in their proofs, and were assured that in the end they would be fairly dealt with. It took the LaRose people some time to get the evidence together, and it was