

reasonable suggestion had been acted on the matter could long ago have been settled.

(See letter on page 15).

The Florence Company then proceeded with the action referred to at page 3, and after the case was set down for trial an Act was passed by the Legislature attempting to confiscate the vested statutory rights of the Florence Company. Thereupon the petition set forth at pages 2-6 was presented to the Governor-General in Council for the allowance of the said Act. In the said action several interlocutory applications have been made, in all of which the Florence Company succeeded. In connection with these applications the statements of fact in the petition for Disallowance have been verified under oath and particularly the following have been proved:—

1. A valuable discovery of mineral in place under Cobalt Lake was made on March 7th, 1906.

2. That all conditions demanded by the Mines Act and Regulations re staking, etc., were fulfilled by those making discovery.

3. That Cobalt Lake was open for exploration at the time the discovery was made.

There can, therefore, now be no reasonable doubt that the Florence Company had before the legislation above referred to become entitled to twenty acres, part of the bed of Cobalt Lake. The question, of course, remains as to whether these rights can be confiscated by ex post facto legislation.

This involves the momentous question whether in the Province of Ontario there is any **security for property or certainty of title** upon which investors can safely rely. A memorandum is attached as to the statements in the Legislature for the purpose of procuring the legislation in question. The letter at page 16 shows that the Government knowingly sold a law suit. The extracts from the Statutes printed at page 16 are sufficient to establish without any further argument that the legislation amounts to sheer confiscation without compensation, or in other words to "Legislative robbery," as it was characterized by one of the judges of the Court of Appeal in a recent case.

**PETITION REFERRED TO IN DOMINION ORDER-IN-
COUNCIL OF 14TH SEPTEMBER, 1908.**

TO HIS EXCELLENCY THE GOVERNOR-GENERAL
OF CANADA IN COUNCIL.

The Petition of the undersigned **HUMBLY SHOWETH:**

1. THAT your petitioners are a Mining Company duly incorporated and licensed under the laws of the Province of Ontario.

2. THAT your petitioners are entitled to twenty acres known as J. S. 71, being part of the land under the waters of Cobalt Lake