

beg to say that the Commissioner of Dominion Parks, to whom your inquiry was referred, reports as follows:

"I believe that the only sand and gravel leases granted by the Dominion in the vicinity of Point Pelee were those granted by the Interior some years ago for specified areas on the Point itself. Several months ago notice of cancellation of these leases was served upon the lessees. No operations have been carried on with respect to any of these leases and therefore the operations of which Dr. Brien complains are evidently the operations of dredges on water lots off the Point. I understand the dredging company which operates there has some Crown grants and also some leases from the provincial Government with respect to a number of water lots. My understanding of the situation is that the province and not the Dominion controls the land under the water and that therefore the operations which are going on are not carried on through any authority from the Dominion. The Department of Public Works is concerned in these dredging affairs in so far as they may affect navigation and associated matter. Last year, Mr. Cameron, Consulting Engineer of the Department of Public Works, and Mr. Kindle of the Geological Survey, made a general investigation with respect to the effect of the dredging operations upon navigation and in regard to erosion along the shore. The Department of Public Works is therefore the department in the best position to advise Dr. Brien as to the present situation.

I trust this information will be satisfactory.

W. W. Cory.

We also took the matter up with the Department of Marine and Naval Service. They also claimed that they had no jurisdiction as the matter was purely provincial. We explained to them that they had three of the finest harbours in lake Erie under their control, namely, the east and west sides of Point Pelee, and the south end of Pelee island, and that if conditions went on as they were, it would only be a matter of a short time until these harbours would be completely destroyed, and we thought that it would be to their interests to assist in this serious matter. The following letter, addressed to me under date of March 25th, 1919, from the Department of Marine, explains their attitude in the matter:

In reply to yours of the 24th instant regarding the question of sand-sucking operations at Point Pelee, Ontario, I would say that extensive investigations in this connection have been carried out during the past season, and the opinion of the investigators appears to be that these operations have very little effect on the general erosion going on in that vicinity. At the same time, they recommend that the operations be kept within certain limits which they define, and it seems that the provincial government, which is actually in control of the situation, is willing to co-operate.

There is some doubt as to whether the regulation of this matter comes under the provisions of the Navigable Waters Protection Act, but if so, any action taken should lie within the province of the Department of Public Works

rather than the Department of Marine. This department would not, however, hesitate taking the matter up with the Department of Public Works for vigorous action should it appear at any future time that these operations are actually detrimental to navigation.

C. Stanton.

We then took it up with the Department of Justice, with the result that they stated that this was a purely provincial matter over which they had no jurisdiction. I wrote the department asking for a copy of the engineer's reports which I knew were in their possession, and received from them the following letter under date of April 23, 1919, which explains their attitude in the matter:

Referring to your letter of the 25th instant, I have to inform you that the reports prepared by Dr. Kindle and the engineers of the Public Works Department were prepared with a view to taking legal proceedings against persons dredging in the neighbourhood of Point Pelee in such a manner as to cause erosion. Whether or not the dredging is the cause of the erosion has not been finally determined, the engineers desiring to make further observations during the present dredging season. Consequently I do not think it would be desirable in the public interest to make public the results of the scientific investigation made to date.

W. Stuart Edwards.

We then brought the matter to the attention of the then Acting Prime Minister, who brought the whole matter before council and reported to me that as these patents were granted by the Provincial Government, they had no jurisdiction in the matter and did not want to interfere with provincial rights.

I wish to state that at all times we have had the most courteous consideration given to our appeals by the different departments of the Dominion Government, but we feel now that the four departments which I have mentioned, namely, the Department of Public Works, the Department of Marine and Naval Service, the Department of the Interior and the Department of Justice, should be joint plaintiffs with the municipality of Pelee island, through the Department of Justice, and force the issuing of an injunction restraining these sand companies from further operations until the matter can be settled in the courts and the amount of damage determined.

I have also accompanied deputations from Pelee island and Point Pelee before the Department of Lands, Forests and Mines of the province of Ontario, and on each occasion they stated that the reports of their engineers were to the effect that the removal of the sand and gravel was not the direct cause of the destruction