

CANADA
DEPARTMENT OF MINES
HON. W. A. GORDON, MINISTER; CHARLES CAMSELL, DEPUTY MINISTER

MINES BRANCH
JOHN McLEISH, DIRECTOR

J. A. Hodgson.

The Mining Laws of Canada

*A Digest of Dominion and Provincial Laws
Affecting Mining*

(Revised Edition)



OTTAWA
F. A. ACLAND
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
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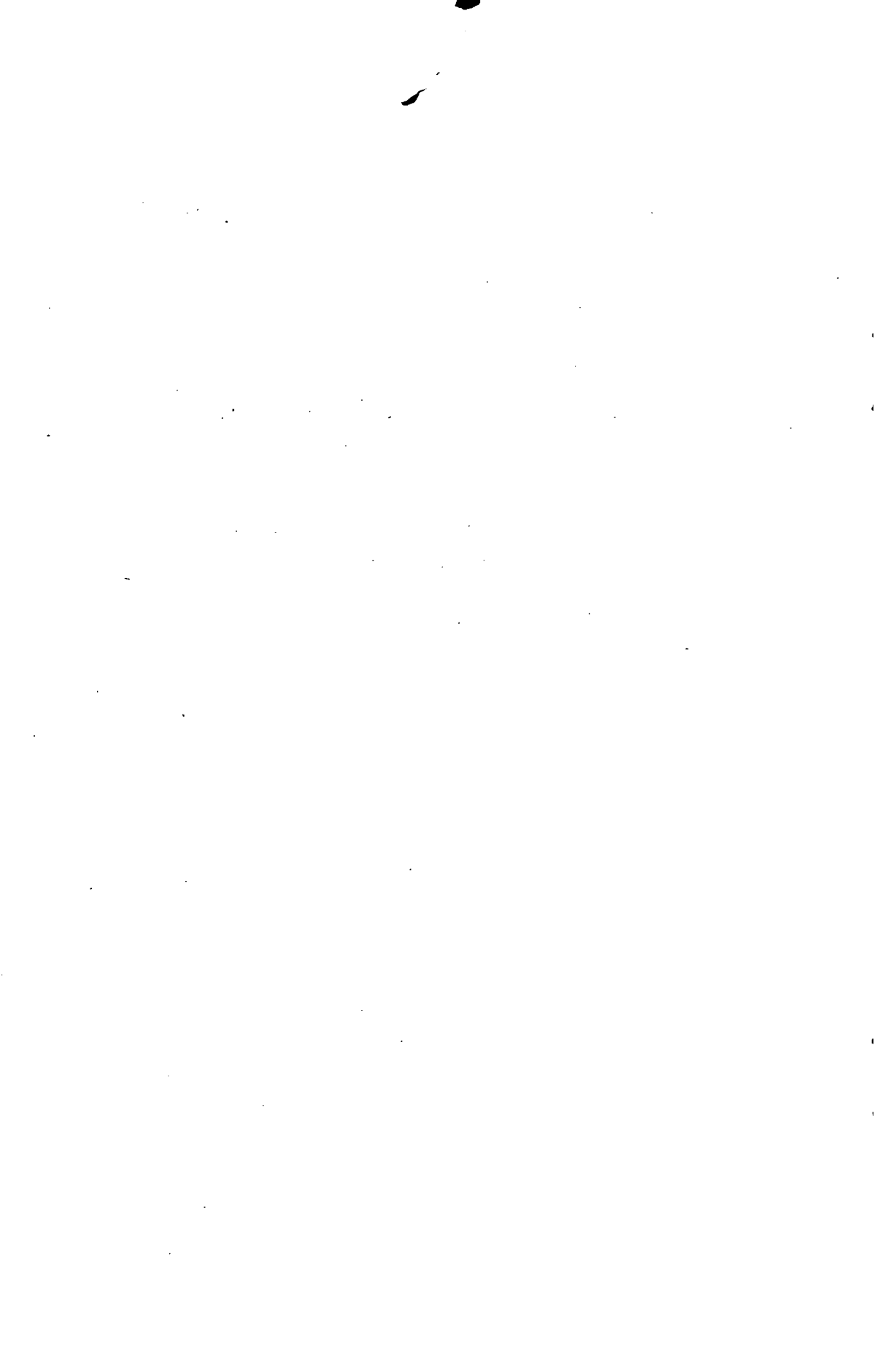
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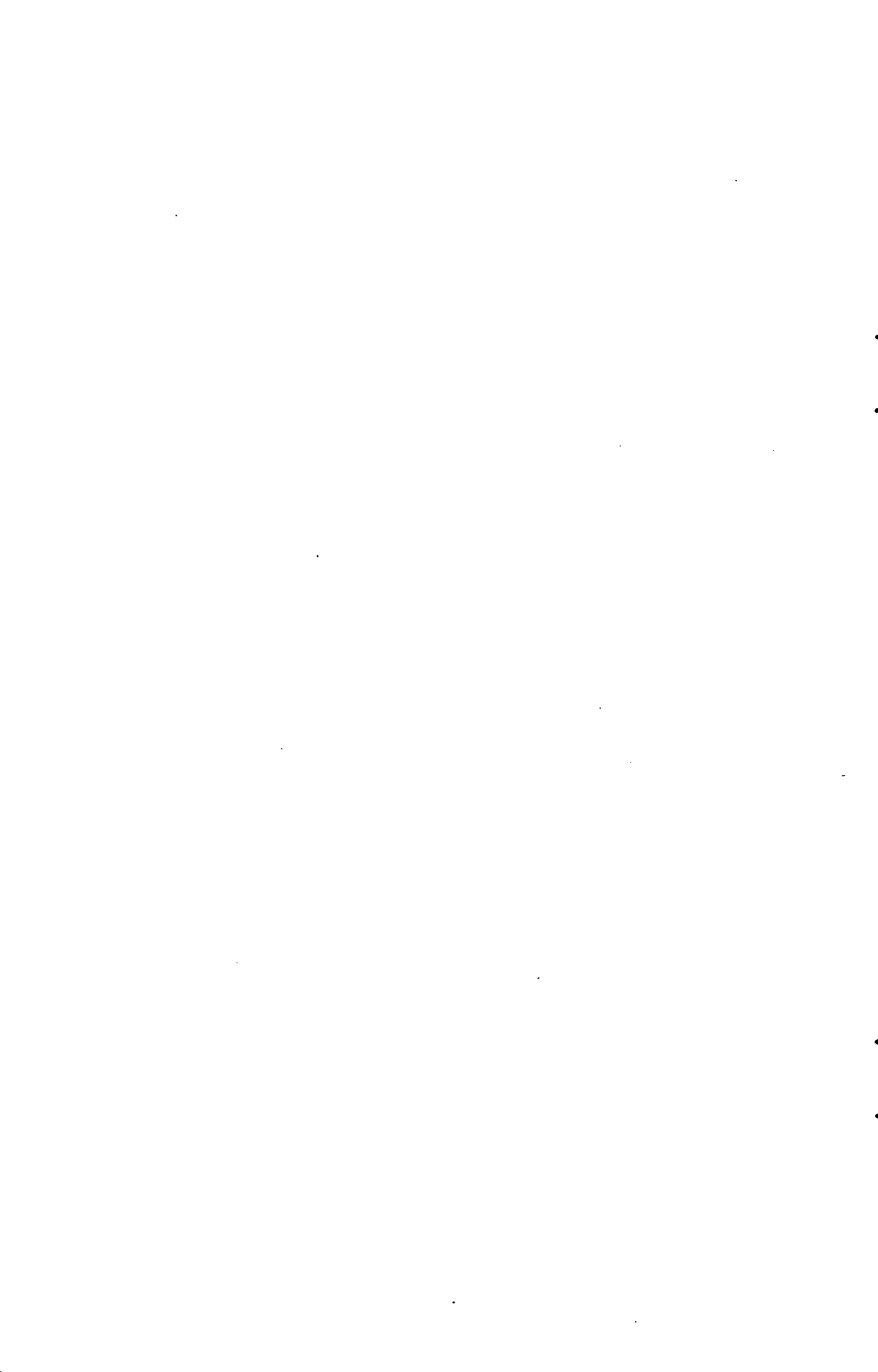
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PREFACE

The first edition of the "Digest of the Mining Laws of Canada" was compiled by John McLeish and published in 1924. Numerous changes and additions to the mining laws of the Dominion and of the various provinces have necessitated a revision of this digest. This second edition has been prepared by Arthur Buisson, mining engineer, of the Mineral Resources Division. With the purpose of securing greater uniformity, the report has been compiled based on the following main divisions:—

- I. Synopsis of the Mining Laws at present in force.
- II. Summary of special Acts relating to mining, mine taxation, etc.
- III. Lists of Acts, Amendments, and Regulations, at present in force.
- IV. Royalties.
- V. Bounties.
- VI. Schedule of Fees.

The material for the synopses of Mining Laws and Regulations has been furnished for this publication, as for the previous one, by those officers of the several governments who are directly in charge of their administration. The form of presentation and rearrangement of data supplied was attended to by Mr. Buisson.

These synopses are intended merely as a general guide to the principles underlying the administration of the laws governing the mining industry in different parts of Canada.

The Mining Laws of most of the provinces and also the Regulations issued by the Federal Government are available in printed form. The reader is referred to the official sources regarding mining laws and regulations and their administration.

The Imperial Mineral Resources Bureau, London, England, has published a series of volumes dealing with the Mining Laws of the different parts of the Empire, and volumes dealing with the Mining Laws of Ontario, British Columbia, and of the Dominion of Canada have already been issued by this Bureau. Somewhat similar volumes are also being issued by the United States Bureau of Mines, Department of Commerce, Washington, D.C.

The Mining Laws of Canada—A Digest of Dominion and Provincial Laws Affecting Mining

DOMINION OF CANADA

MINING LAWS AND REGULATIONS RELATING TO DOMINION LANDS, ADMINISTERED BY THE DOMINION GOVERNMENT

C. C. Ross

(Supervisory Mining Engineer, Department of the Interior, Ottawa.)

- I. Dominion lands to which these regulations apply are those within the Yukon territory and the Northwest Territories.

The title issued for Dominion lands, the property of the Federal Government, in the Yukon territory and the Northwest Territories, reserves to the Crown the mines and minerals which may be found on or under such lands, together with the right of operation.

Minerals on vacant Dominion lands and on lands disposed of as above may be acquired by lease for a period of usually 21 years, renewable for further periods of like duration, on the following terms and conditions:

Coal

The maximum area which may be granted under lease to one applicant is 2,560 acres, and the length of the locations must not exceed four times its breadth. In unsurveyed territory the location must be staked by the applicant personally, and personal application must be made to the Mining Recorder for a lease. Such location must be marked on the ground by two legal posts, one at each end of the longest dimension, and a line must be marked out joining the posts. In surveyed territory personal application only is necessary. The lease conveys the coal mining rights only, but surface rights may be obtained by arbitration, if already disposed of, or under lease from the Crown if vacant. There is no limit to the area which may be acquired by assignment.

Petroleum and Natural Gas

The maximum area which may be acquired under application by one person is 1,920 acres, but any area may be acquired by assignment. The location shall be personally staked and applied for in the same manner as coal, and drilling operations shall be commenced within 15 months of the date of the lease. If drilling operations are conducted the expenditures so incurred may be accepted in full satisfaction of rental, until discovery of oil is made. Twenty thousand acres may be grouped by a lessee and represented by one drilling outfit. In the Northwest Territories a preliminary permit may be obtained to prospect an area of 2,560 acres, rental payable on one-half of that area only. Upon discovery of oil being made a final lease of one-half the area acquired, to be selected by the permittee, will be issued. Permits to prospect on Dominion lands are also issued and the procedure to be followed in making such application is similar to the regulations governing the issue of leases. Rental is at the rate of 10 cents an acre together with a cash bond of 40 cents an acre guaranteeing an expenditure during the term of the permit, in core drilling or like operations, of a sum equal to the amount of such cash bond, and the bond so given shall be subject to forfeiture unless evidence is furnished to the satisfaction of the Minister that such expenditure was incurred during the period and for the purpose mentioned. The term of the permit is for one year.

Quartz

Northwest Territories. Persons, 18 years of age or over, every mining partnership, and every joint stock company, shall be entitled on payment of the fee, as prescribed, to a miner's licence. Claims are to be enclosed by four blazed lines each 1,500 feet long in north-south and east-west directions. The prospector's licence costs \$5.00 and six claims of about 50 acres each can be staked on it in each district. Two proxies are allowed for each prospector, so he can stake 900 acres, in all. The recording fee is \$5.00 per claim for the staker and \$10.00 per claim staked on behalf of another.

During the first 18 months after recording, 40 days' work is required for each claim of 50 acres. Upon application adjoining claims to the number of nine, may be grouped and work may be concentrated upon one of the claims. A supervisory engineer examines all work done in connexion with the grouping. A certificate of improvements is issued after 200 days' work has been done inclusive of a survey, after which a 21-year lease may be granted. The supervisory mining engineer must be satisfied that the work has been done, and that valuable mineral has been found on the claim. He must make a report to that effect.

Yukon Territory. Every person, 18 years or over, is eligible to stake a claim not exceeding 51.65 acres. Claims are to be marked by two legal posts. Two proxies are allowed for each prospector, with power to stake one claim only for each proxy. The recording fee is \$10.00 per claim.

During the first year from the date of staking, work to the value of \$100 is required for each claim, or failing to perform such work, payment of the fee of \$100 in lieu of work may be made. Upon application, adjoining claims, eight in number, may be grouped, and work may be concentrated upon any one claim in the group. A certificate of improvements is issued after work to the value of \$500 has been performed, and certain requirements regarding survey of the claim have been fulfilled. The Mining Recorder must be satisfied that the work has been done, or that the required payment in lieu thereof has been made, and also that valuable mineral has been found on the claim.

Placer

Claims may be staked out and acquired by any person more than 18 years of age. Claims to be marked by two legal posts, one at each end, and the line adjoining them marked. Creek claims are staked along the base line of the creek and shall not exceed 500 feet in length and 1,000 feet in width. River claims are not over 1,000 feet on one side of the river and extend back 1,000 feet from low-water mark. Inland claims, that is claims situated elsewhere than on a creek or river, shall not exceed 1,000 feet in length by 1,000 feet. Expenditure in development of each claim to be incurred and proved each year; \$200 in Yukon territory and \$100 elsewhere.

Dredging

A dredging lease conveys the exclusive right to subaqueous mining and dredging in not over 10 miles of a river bed in the Yukon territory and 5 miles or less elsewhere. The term of the lease is for 15 years in the Yukon and 20 years elsewhere, renewable. Royalty, 2½ per cent. Lessee required to install a dredge within three years from date of lease in Yukon, and within one year elsewhere with a proviso that in case evidence is submitted that preliminary prospecting operations are necessary for the disclosure of values and that research and investigation are necessary to determine the character of equipment best adapted for the recovery of mineral content, the Minister may grant the lessee an extension of time during the second, third, and fourth years respectively of the term of the lease, within which to make payment of the rental for each of such years and within which to install a suitable dredge.

Alkali

Comprising natural surface accumulations of soluble mineral salts and associated marls, occurring at or near the surface. Area which may be leased, 1,920 acres. Term of lease, 20 years, renewable. The lessee shall expend in actual development or improvements on the property leased not less than \$10,000 during the first three years of the term of the lease. Not less than \$2,500 shall be so expended during the first and during the second years of the term.

Carbon-black

The recorded owner of a lease of natural gas rights acquired under the regulations may obtain a permit to use the gas for the production of carbon-black, if the location affected is situated in an isolated part of the country where there is no market for the sale of the gas. The permittee must expend \$15,000 during each of the first and second years of the term of the permit in the erection and completion of an efficient plant. Gasoline content, if sufficient, must first be extracted.

Quarrying

Northwest Territories. Dominion lands containing limestone, granite, slate, marble, gypsum, marl, gravel, sand, clay, or building stone, may be leased. The maximum area to one applicant shall be 40 acres. A railway company or municipality, requiring material for construction or maintenance of railway or municipal works, may acquire more than one location. The location must be staked out, if situated in unsurveyed territory.

Potash

Natural occurring compounds containing sulphate or chloride of potassium, or both, in a condition directly soluble in water. Maximum area of lease, 1,920 acres. Term of lease, 21 years, renewable. Machinery for prospecting operations to be installed during first year of term of lease and operations commenced within 15 months from date of issue. A royalty not to exceed 2½ per cent of the value of the products may be collected.

Sand and Gravel Permits

Northwest Territories. Permits are granted for one year and convey the right to remove a specified number of cubic yards of sand, stone, and gravel from a portion of a bed of a river, or lake, to be described in the permit. A fee of \$1.00 is charged with dues at the rate of one cent per cubic yard for the quantity of material in excess of 1,000 cubic yards included in any one permit.

- II.** Information contained in **I.**
- III.** List of Acts, Amendments, and Regulations, at present in force and which have been passed by Parliament:—
- Regulations for Sand, Stone, and Gravel Permits.
 - Alkali Mining Regulations.
 - Regulations for Oil and Gas Permits and Leases in the Northwest Territories.
 - Regulations for disposal of Petroleum and Natural Gas Rights on Dominion Lands.
 - Potash Regulations.
 - Carbon-black Regulations.
 - Quarrying Regulations.
 - Coal Mining Regulations.
 - Coal Mining Permit Regulations.
 - Dredging Regulations.
 - Dredging Regulations (Yukon territory).
 - Placer Regulations.
 - Yukon Placer Mining Act.
 - Quartz Mining Regulations.
 - Yukon Quartz Mining Act.

IV. Royalties

- Coal.* Five cents per ton.
- Petroleum and Gas.* May be charged, varying from $2\frac{1}{2}$ to 10 per cent of the value of the product.
- Quartz Mining.* Upon annual profits in excess of \$10,000 and up to \$1,000,000..... 3 per cent
- On excess above \$1,000,000 up to \$5,000,000.. 5 per cent
- On excess above \$5,000,000 up to \$10,000,000.. 6 per cent
- On excess above \$10,000,000 a proportional increase of one per cent for each additional \$5,000,000.

Alkali. Twenty-five cents per ton shipping weight. When this royalty exceeds $12\frac{1}{2}$ per cent of selling value of salts, or brines in their natural state, royalty may be collected at rate of $12\frac{1}{2}$ per cent of such selling price. When product is shipped in solution a royalty of 2 cents per gallon shall be paid.

Carbon-black. Five per cent of the value of the gas at the well.

Placer. Two and one-half per cent on gold shipped from Yukon territory.

V. Bounties

Copper. A bounty of $\frac{1}{2}$ cent per pound on copper bars or rods manufactured in Canada and sold for consumption therein, from copper produced in Canada from ore mined in Canada.

The Copper Bounties Act was assented to June 1923 and its provisions, which were to expire June 30, 1928, were extended to June 30, 1931.

VI.

Schedule of Fees

Applications for Leases—

Potash, Quarrying, Coal, Oil and Gas Permits in N.W.T., Petroleum and Gas Leases and Permits, Dredging in and out of Yukon territory.....	\$ 5 00
Alkali.	10 00

Rentals—

Quartz and Yukon Quartz for first period of 21 years.....	50 00
For renewal of period.....	200 00
Surface leases, per acre, per annum.....	1 00
Potash, 25 cents per acre first year and 50 cents for subsequent years.	
Coal and Quarrying leases, \$1.00 per acre, per annum.	
Alkali lease, 25 cents per acre, per annum.	
Petroleum and Gas permits in Northwest Territories and Petroleum and Gas leases, 50 cents per acre for first year and \$1.00 per acre for subsequent years.	
Petroleum and Gas Permits, 10 cents per acre with cash bond at rate of 40 cents per acre.	
Dredging, \$50.00 per mile, first year and \$10.00 per mile subse- quent years.	
Dredging, (Yukon territory) \$100 per mile first year and \$10.00 per mile subsequent years.	

Search Fees—

For search of records in Dominion Lands Agencies, per item.	50
For search at Head Office, Ottawa.....	1 00

Assignments—

For registering assignment.....	3 00
For each additional lease included in the assignment an extra charge of 50 cents for each one included.	
For registration of assignment of divided location and issue of another lease.	25 00

Sundry Charges—

Fee for copy of lease.....	1 00
Fee for certified copy of lease.....	2 00
Fee for lease where an Order in Council is necessary.....	10 00

The Quartz Mining Regulations, Yukon Quartz Mining Act, Placer Mining and Yukon Placer Mining Act, contain a full tariff of various charges authorized under them and are as follows:—

Placer Mining in Yukon—

For grant of a claim for one year.....	\$ 10 00
For grant of a claim for five years.....	50 00
For renewal of grant of a claim.....	10 00
Recording an abandonment.....	2 00
Registration of any document.....	2 00
If it affects more than one claim, for each additional claim...	1 00
For filing any document.....	1 00
Abstract of title—	
For first entry.....	2 00
For each additional entry.....	50

For copy of document—	
Up to 200 words.....	2 50
For each additional 100 words.....	50
For grant of water—	
Of 50 inches or less.....	10 00
From 50 to 200 inches.....	25 00
From 200 to 1,000 inches.....	50 00
For each additional 1,000 inches or fraction thereof.....	50 00

(R.S., c. 64, sch. D; 1908, c. 77, s. 31.)

Quartz Mining in Yukon—

1. Recording mineral claim.....	\$ 10 00
2. For a substitutional record.....	10 00
3. Application for a lease and issue of same.....	10 00
4. Recording every certificate of work.....	5 00
5. For a certificate of improvements.....	5 00
6. For a certificate of partnership.....	5 00
7. Recording assignments, abandonments, affidavits, or any other document.....	2 50
If document affects more than one claim, for each additional claim.....	1 00
8. For granting period of six months within which to record.....	4 00
9. For an abstract of the record of a claim,	
For the first entry.....	4 00
For each additional entry.....	0 50
10. For copies of any documents recorded where same do not exceed three folios.....	4 00
Where such copies exceed three folios, 30 cents per folio for every folio over three.	
11. For recording a power of attorney to stake from one person..	4 00
12. For recording a power of attorney to stake from two persons..	8 00
13. For recording an assignment of a quartz mining lease.....	3 00
14. Rental, whole or fractional mineral claim granted under lease for term of 21 years.....	50 00
15. Rental for renewal term of 21 years.....	200 00
16. Rental iron and mica claim as defined by Section 18.....	150 00
17. Rental for renewal term of 21 years iron and mica claim.....	600 00

When powers of attorney to stake and permission to record within six months relate to placer mining claims also, the fees prescribed by the Placer Mining Act and Regulations shall be collected in addition to the fee prescribed by these regulations. (1924, Chap. 74, Sch. 2.)

Placer Mining in Northwest Territories—

For grant of a claim for one year.....	\$ 10 00
For renewal of grant of a claim.....	10 00
Recording an abandonment.....	2 00
Registration of any document.....	3 00
If it affects more than one claim, for each additional claim.....	50
For filing any document.....	1 00
Abstract of title—	
For first entry.....	2 50
Each additional entry.....	50
For copy of document—	
Up to 200 words.....	1 00
For each additional 100 words.....	50

Placer Mining in Northwest Territories—Concluded

For grant of water—	
Of 50 inches or less	\$ 5 00
From 50 to 200 inches	10 00
From 200 to 1,000 inches	20 00
For each additional 1,000 inches or fraction thereof	20 00
(Amended by Order in Council, dated 29th May, 1926, P.C. 814, and 5th January, 1927, P.C. 2172.)	

Quartz Mining in Northwest Territories—

1. For a miner's licence or renewal thereof for an individual	\$ 5 00
2. For an individual miner's licence issued on or after the 1st October in any year	3 00
3. For a miner's licence or renewal thereof for a mining partner- ship having not more than two partners	5 00
4. For a miner's licence or renewal thereof for a mining partner- ship having more than two but not more than five partners	10 00
5. For a miner's licence or renewal thereof for a mining partner- ship having more than five partners	20 00
6. For a miner's licence or renewal thereof for a company where the capital authorized by letters patent or licence does not exceed \$40,000	25 00
7. For a miner's licence or renewal thereof for a company where the capital authorized by letters patent or licence is over \$40,000 but does not exceed \$100,000	50 00
8. For a miner's licence or renewal thereof for a company where the capital authorized by letters patent or licence is over \$100,000 but does not exceed \$500,000	75 00
9. For a miner's licence or renewal thereof for a company where the capital authorized by letters patent or licence is over \$500,000 but does not exceed \$1,000,000	100 00
10. For each additional \$1,000,000 or fraction thereof	100 00
(Provided that in cases where the authorized capital of any such company is over \$1,000,000 and it is, by affidavit of the president or secretary thereof, proven to the satisfaction of the Minister or the Deputy Minister that any part of such capital is actually being used in some other business enter- prise and not in mining on Dominion lands, such part may be deducted in fixing the licence fees herein provided for.)	
11. Where the shares of a company have no par value the fee for a miner's licence or renewal thereof shall be based on the actual value of the shares at the time of the issue of the licence or renewal, as shown by affidavit of the president or secretary of the company, or as may be determined by the Minister, at the rate of \$100 for every \$1,000,000, but in no case shall the fee be less than	40 00
12. Whenever a miner's licence for a mining partnership or for a company is issued on or after the 1st October in any year, the fee shall be only one-half the amount above specified.	
13. For recording each claim located by a licensee on his own licence	5 00
14. For recording each claim located by a licensee on behalf of another licensee	10 00
15. For an examination of the record book, per claim	10
16. For inspecting any document filed with a mining recorder	10
17. For application for a certificate of work	2 50

18. For recording with the mining recorder a transfer, agreement of sale, option, power of attorney, revocation of a power of attorney, copy of a writ of execution, discharge of execution, or any other instrument affecting any recorded claim, right or interest, for each claim..	2 00
19. For a substitutional miner's licence..	1 00
20. For a special renewal licence under Section 65 to save forfeiture, twice the prescribed licence fee.	
21. For filing report of work under Section 65 to save forfeiture..	10 00
22. For application for a lease of surface or mineral rights.. . . .	10 00
23. For filing a certificate of mining partnership or certified copy thereof..	1 00
24. For recording a certificate of revocation of agent and appointment of a new agent for a mining partnership..	1 00
25. For recording a transfer of a share or shares in a mining partnership..	1 00
26. For copies or certified copies of any document or record obtained from any officer, per folio of 100 words..	30
27. For an abstract of the records of a claim—	
For first entry..	1 00
For each additional entry..	10
28. For a grouping certificate..	5 00
29. Rental of a claim, for the first period of 21 years..	50 00
30. Rental of excess area, for first period, per acre..	5 00
31. Rental for renewal period..	200 00
32. Rental of excess area for renewal period, per acre..	20 00
33. Rental for fractional claim..	25 00
34. Rental for surface lease, for each acre, per annum..	1 00
35. For registration of an assignment of a lease..	3 00
36. For a substitutional record of entry..	10 00
37. For application for a certificate of improvements..	2 50

For copies of any of the regulations above referred to application may be made to the Supervisory Mining Engineer, Department of the Interior, Ottawa, Canada.

MINING LAWS AND REGULATIONS RELATING TO
DOMINION SCHOOL LANDS AS ADMINISTERED
BY THE DOMINION GOVERNMENT

W. T. Rollins

(Controller, School Lands Division, Dominion Lands Administration,
Department of the Interior, Ottawa).

- I.** The Mining Laws governing the disposal of Dominion lands apply also to School lands and the regulations under which leases are issued on School lands are practically the same as on Mining lands with only minor changes where the Dominion lands regulations are not really applicable to School lands.
- II.** For summary of regulations see under Dominion lands.

III.

List of Regulations

- Order in Council, March, 1920, amending Order in Council of May, 1917. Regulations *re* disposal of Quartz Mining Claims.
- Order in Council, May, 1920, amending Order in Council of February, 1909. Regulations governing Placer Mining.
- Order in Council, February, 1918, amending Order in Council of May, 1916. Regulations for the leasing of Potash Rights.
- Order in Council of November, 1928. Regulations for the disposal of Coal Mining Rights.
- Order in Council of July, 1928. Regulations for the disposal of Petroleum and Natural Gas Rights.
- Order in Council of 12th February, 1929. P.C. 249, *re* disposal of Petroleum and Natural Gas Rights.
- Order in Council of 26th March, 1930. P.C. 646, *re* Amendment to Section 4 of Petroleum and Natural Gas Regulations, as established under authority of Order in Council of 12th July, 1928.

More detailed information and copies of the Mining Laws and Regulations relating to Dominion School Lands may be had on application to the Controller, School Lands Division, Dominion Lands Administration, Department of the Interior, Ottawa.

MINING LAWS AND REGULATIONS PERTAINING TO
INDIAN RESERVES AS ADMINISTERED
BY THE DOMINION GOVERNMENT

Duncan C. Scott

(Deputy Superintendent General, Department of Indian Affairs).

- I.** The disposal of minerals on Indian Reserves is subject to the consent of the Indian band owning the reserve, with the exception of gold and silver.

This exception was made in order that the precious metals might be more accessible for mining purposes, without surrender by the Indians, although at the same time the Indian interest is fully protected.

The mining regulations comprise three separate regulations, dealing with Coal, Petroleum and Natural Gas, and Minerals.

II. Coal

The area of a coal mining location is restricted to 640 acres, the annual rental being at the rate of 50 cents per acre, and the royalty being 12 cents per ton of 2,000 pounds.

Active operation of the coal mine must be commenced within one year of the issue of the lease and a sworn return of the output must be furnished. Provision is also made for compensation being paid to the Indians for any damage sustained to their improvements, for the inspection of all records of the lessee, and for reservation of the timber on the location.

Petroleum and Natural Gas

The maximum area of an oil and gas location is 1,920 acres, the annual rental being at the rate of \$1.00 per acre and royalty of 10 per cent of the output. Boring operations must be commenced within 15 months of the issue of the lease and control of such operations is maintained by the Department as affecting the access of water and gas to the oil-bearing formation. Provision is made for a reasonable annual expenditure by the lessee on development work and the drilling operations are at all times under the control of the Supervisory Engineer or other officer designated by the Superintendent General.

Minerals

Permission to prospect for mineral on Indian Reserves is given to reputable persons who hold Provincial miners' licences, and the mode of staking and method of operations must conform

to the Provincial mining act. The area of a mining location is restricted to 40 acres, and interim leases are granted on payment of an annual rental of 50 cents per acre.

When a lessee is prepared to operate a mine or engage in active mining operations, a long term lease is granted on such terms with respect to the payment of rental and royalty as may be determined by the Superintendent General.

Sworn returns must be furnished at regular stated intervals and provision is made for compensation being paid to the Indians for damage done to improvements, for the inspection of the records of the lessee and for the reservation of timber.

III. **List of Regulations**

Regulations for the disposal of Coal. (Order in Council, September, 1924.)

Regulations for the disposal of Petroleum and Natural Gas Rights. (Order in Council, February, 1927.)

Amendments to the Regulations for the disposal of Petroleum and Natural Gas Rights. (Order in Council, March, 1929.)

Regulations for the disposal of Minerals other than Coal, Petroleum and Natural Gas. (Order in Council, February, 1930.)

IV. **Royalties**

Coal: Twelve (12) cents per ton.

Petroleum and Natural Gas: Ten per cent (10%) of the output.

VI. **Schedule of Fees**

Application for leases:

Coal, Petroleum and Natural Gas, and other Minerals	\$5 00
---	--------

Rentals:

Coal, annual rental, per acre.....	50
Petroleum and Natural Gas, annual rental, per acre.	1 00
Other Minerals, annual rental, per acre.....	50

More detailed information and copies of the Mining Laws and Regulations pertaining to Indian Reserves may be had on application to the Deputy Superintendent General, Department of Indian Affairs, Ottawa.

NOVA SCOTIA

NOVA SCOTIA MINING LAWS

Norman McKenzie

(Deputy Minister, Department of Public Works and Mines.)

- I. All minerals in Nova Scotia, except limestone, gypsum, and building materials, are the property of the Crown in the right of the province of Nova Scotia. They are dealt with under the provisions of the Mines Act, Chapter 22, Revised Statutes of Nova Scotia, 1923 and amendments. The administrative officer under the Act is the Minister of Public Works and Mines. The Mines Office is situated in the Province House, Halifax. At this office all records of mining titles are kept.
- II. The minerals of the province are divided into two groups: (1) Gold and Silver; and (2) Minerals other than gold and silver.

(1) Gold and Silver

Applications—Leases

All mines of gold and silver are laid off in areas of 250 feet north and south, by 150 feet east and west.

Leases for the right to mine gold and silver during a period of 40 years are granted by the Minister and bear date of the second day of July of the year in which they are applied for. Applications for leases must be in writing. They must specify the areas—by number if the areas are numbered—otherwise, by description of the tract of ground. Applications may be filed at the Mines Office by the applicant or his agent or may be sent in by mail.

A lease may comprise any number of contiguous areas not less than twenty.

Payment of 50 cents for each area applied for is required on the filing of an application for lease.

Rent and Royalties

Leases are subject to a yearly rental, payable in advance, of 50 cents per area for each year except the first year. This rental is due on July 2nd, and if not paid within 30 days thereafter the leases stand forfeited and the areas become open for application by the public. Provision, however, is made for protecting, within a year, the interests of bona fide operating lessees.

Leases are also subject to payment of royalties on the minerals mined thereunder, the rate being: on gold, 35 cents per

ounce, and on silver 2 cents on each ounce, but no royalty is payable on gold or silver mined between March 31, 1927, and March 31, 1932. Lessees may make with the Minister an agreement substituting for the royalties above-mentioned (for a period not exceeding 20 years), royalties based on the annual profits of the mine in excess of \$10,000. (See IV—Royalties.)

Licences

Prospecting licences good for one year from date of application therefor and giving the right to search or prospect for gold and silver are also issued by the Minister. These licences are subject to automatic forfeiture for non-performance of the statutory amount of work.

A licence may comprise any number of contiguous areas not less than twenty. Any number of licences may be issued to the same person. Fees at the rate of 50 cents an area must accompany an application for prospecting licence for gold or silver.

At any time within the period for which a licence is in force the licensee may, subject to the provisions of the Act, select for lease the areas comprised in his licence and shall be entitled to a lease of the areas selected.

Mineral-bearing quartz may be crushed only at a licensed mill (or by machinery operated entirely by hand). Mill licences must keep books containing full information concerning all quartz crushed, and due returns must be made to the Mines Office.

Operation of Mines

The control of gold and silver mining operations is governed by the Metalliferous Mines Regulation Act, which is Chapter 2 of the Acts of 1927.

(2) Minerals Other Than Gold and Silver

Applications—Licences—Leases

Licences to search for, and leases for the right to mine, a mineral other than gold and silver are granted by the Minister. Applications for same describing the tract of ground and specifying the mineral applied for must be in writing and must be accompanied in the case of an application for lease by a fee of \$50.00 and in the case of an application for licence to search by a fee of \$10.00.

A licence or a lease may cover a tract of ground not exceeding one square mile and not more than two miles in length.

A licence is in force for a period of one year from the date of application, subject, however, to automatic forfeiture for non-performance of statutory amount of work.

The licensee may at any time before the expiration of his licence make application for a lease of the tract covered by his licence and may obtain a lease for the purpose of mining the mineral specified in the licence.

A lease shall be for a period of 20 years, but it shall carry with it the right to the lessee to obtain three subsequent renewals of the lease, each for a period of 20 years, provided the lessee makes application for such renewals within the time specified in the Mines Act, and has complied with the provisions of the Act.

Special Leases for Coal

In the case of leases for coal, if the Governor in Council is satisfied that the holder of any lease or leases is prepared to carry on mining operations on so extensive a scale as would largely increase the amount derived from royalties, or is prepared to enter into such terms as would be in the interest of the province, the Governor in Council may authorize the Minister to accept a surrender of any lease or leases and to issue in place thereof a consolidated lease covering such tract of ground, and being for such term of years, and containing such terms and conditions as the Governor in Council directs.

Rent and Royalties

Every lessee shall for every year after the date of the lease, except the first year, pay in advance (on July 2nd) a yearly rental of \$30.00 for every square mile comprised in his lease, but if in any one year he pays as royalty on mineral mined out of the leased tract an amount more than his annual rent, he shall on application receive a refund of the amount paid as rent for that year. (See IV.)

Work

The holder of every licence to search shall perform on the licensed area bona fide mining or prospecting work to the extent of not less than the work of one man for 100 days of 8 hours per day for each area of one square mile or less under licence. At least one-half of this work must be performed within 3 months of the date of the licence and the remainder within 11 months of the date of the licence. The work must be reported within 15 days of time for completion otherwise the licence automatically becomes void. The time between November 16th and April 15th is excluded for first instalment of work, also any time which by an Order in Council or order of the Minister is excluded.

The holder of every lease shall perform in each lease year on the leased area bona fide mining or prospecting work equivalent to the work of three men for 200 days of 8 hours per day for every one square mile or fraction of one square mile in the

lease, but only one-half of that amount of work is required in the first year of the lease. Failure to perform the work required makes a lease forfeitable, but forfeiture can only be declared after a hearing and investigation by the Minister and is only declared when it is considered to be for the best interest of the province.

With the consent of the Minister areas may be grouped for work.

The Governor in Council or the Minister may exempt the lessee from the performance of work for such time as the Governor in Council or Minister may determine.

Quarterly Returns

Every lessee shall in the months of January, April, July, and October send to the Minister correct returns showing among other things the quantity of mineral mined during the previous quarter, the amount of royalty accrued, the number of persons employed about the mine, and a description of the shafts, slopes, and works opened or constructed.

Control of Mining Operations

The operation of mines of coal, shale, ironstone, and fire-clay is governed by the Coal Mines Regulation Act. Operation of other mines is governed by the Metalliferous Mines Regulation Act. The former Act provides for the granting of certificates of competency of various classes to persons occupying different positions in a mine and both Acts make detailed provision for the conduct of mining operations and for the safety of the workmen engaged therein.

General Provisions

These provisions are applicable in the case of minerals in both groups.

Any person may obtain a lease without having previously applied for a licence.

Every licence for, and every lease of, any mineral shall be deemed to include, in the case of a licence the authority to prospect or search for, and in the case of a lease the authority to mine, all minerals held in composition, associated with or contained in such first-mentioned mineral or in the ores in which such first-mentioned mineral is contained.

Entry on Private Lands

No licensee shall enter upon private lands except with the consent of the owner or tenant or occupant or under special licence from the Minister.

No lessee shall enter upon or use for mining purposes any private lands except by agreement with the owner or under the provisions of the Mines Act.

If a lessee requires land or any right or interest in land for mining purposes and cannot make an agreement with the owner for acquiring the same he may take proceedings before the Minister to acquire the property sought. The Minister may inquire into the matter hearing all persons concerned, and may at the close of the hearing make an order dismissing the petition, or may allow the prayer thereof in whole or in part and may direct that the property sought shall be vested in the petitioner and the estate or tenure on which the same shall be held and may order that the compensation to be paid the owner by the lessee shall be determined by arbitration. Upon payment of the amount of compensation awarded and on the registration of certain documents in the proper registry office the lessee shall have and hold the property or right or interest specified in the order of the Minister.

The holder of a lease may at any time surrender his lease, but if any lien has been filed in the Mines Office against the lease the consent of the lien holder to the surrender must first be obtained.

Mining Machinery

The Minister may when authorized by the Governor in Council purchase boring machines, quartz crushers, or such other machinery as is deemed suitable for use for the purpose of searching for or testing mineral deposits in the province, and may permit the use thereof by such persons, and on such terms as he deems proper, or may expend out of the revenue of the province such sums in the use of such machinery as he deems fit.

III. List of Acts

The Mines Act, Revised Statutes, 1923, Chap. 22;

Amending Acts—

1925, Chap. 26;

1926, Chap. 21;

1927, Chap. 17;

1929, Chap. 22.

The Coal Mines Regulation Act, 1927, Chap. 1.

The Metalliferous Mines Regulation Act, 1927, Chap. 2.

Act for the Further Assisting of the Gold Mining Industry, 1909, Chap. 5.

Act for the Encouragement of the Making of Iron and Steel from Native Ores—Revised Statutes, 1923, Chap. 133 (as amended by 1925, Chap. 64).

IV.

Royalties

Royalties on minerals mined are payable as follows (a ton being in every case 2,240 pounds):—

Coal. Twelve and one-half cents upon every ton removed from the demised area or areas on which the mine is situate, or used in the manufacture of coke or other manufactured fuel, but excluding coal used for domestic purposes by the workmen and coal used in mining operations and in locomotives or by railways owned or operated by the lessee in connexion with the operations at the mine.

Copper. Four cents upon every unit, that is, upon every one percentum of copper contained in each ton of copper ore sold or smelted.

Lead. Two cents upon every unit, that is, upon every one percentum of lead contained in each ton of lead ore sold or smelted.

Zinc. Same as lead.

Iron. Five cents on every ton of ore sold or smelted.

Other Minerals. Five percentum on their values.

The Minister may by agreement with the lessee of any mineral other than coal, substitute during a period not exceeding 20 years, for the above-mentioned royalties, the following royalty on the profits of the mine in excess of \$10,000, such substituted royalty to be according to the following scale:—

- | | |
|---|-------------|
| (a) Upon annual profits in excess of \$10,000 and up to \$1,000,000..... | 3 per cent; |
| (b) On the excess above \$1,000,000 up to \$5,000,000 | 5 per cent; |
| (c) On the excess above \$5,000,000 up to \$10,000,000 | 6 per cent; |
| (d) On the excess above \$10,000,000 a proportional increase of 1 per cent for each additional \$5,000,000. | |

V.

Bounties

None; but for the encouragement of the making of iron and steel from native ores the Governor in Council may refund the whole or any part of the royalty paid on coal used within the province of Nova Scotia in the making of iron or steel to any company which erects within the province, plant, buildings and machinery capable of a daily output of not less than 200 tons, where such iron or steel is made from ore at least 25 per cent of which is mined in Nova Scotia.

NEW BRUNSWICK

NEW BRUNSWICK MINING LAWS

W. E. McMullen, Inspector of Mines

(Department of Lands and Mines, Fredericton, N.B.)

- I. In most grants of land issued by the Crown in New Brunswick since about the year 1805, all mines and minerals are reserved to the Crown and are regarded as property separate from the soil. Most of the grants previous to this date reserve only gold, silver, copper, lead, and coals.

Minerals under the Mining Act 1927, without limiting the scope of the word, include the following: salt, oil, natural gas, infusorial earth, ochres, paints the base of which is found in the soil, fireclay, carbonate of lime, sulphate of lime, gypsum, coal, bituminous shale, albertite, but minerals shall not include building and monumental stones, millstones, grindstones, sand, gravel, pottery clay, mineral waters, soapstone, and peat.

The following minerals are found in the province; coal, gypsum, natural gas and petroleum, bituminous or oil shales, salt, diatomite, limestone, tungsten, copper, iron, antimony, manganese, nickel, lead, and zinc.

Aliens, as well as British subjects, may receive mining rights.

The attention of those interested in prospecting and mining development is called to the fact that there is a provincial diamond drill producing 1½-inch and 2-inch cores and capable of drilling to a depth of 1,000 feet. This drill will be lent for mining purposes under very favourable conditions, full particulars of which can be obtained upon application.

II. **Summary of the Mining Act 1927 of New Brunswick**

There are three classes of rights under this Act, Prospecting Licences, Mining Licences, and Twenty Year Leases.

Prospecting Licences

A prospecting licence is necessary before beginning search for minerals. This licence is issued at a cost of \$10.00 to any person over 18 years of age. It is effective throughout the whole province and applies to all lands whether they be Crown lands or lands privately owned, with the following exceptions:

- (a) Any lands which may have been specially reserved from prospecting.
- (b) Lands already held under mining licence or lease.

- (c) Lands in a village, town, or city.
- (d) Lands used for railway or highway purposes.
- (e) Lands occupied by or surrounding buildings and land under cultivation.

In the cases of (c), (d), and (e) entry may be made with consent of the owner or by order of the Lieutenant-Governor in Council.

When the Crown has already disposed of rights in certain minerals the prospector may enter upon the land to search for other minerals, but if in so doing objection is made by the person holding such rights then the prospector may not work on those lands until 10 days have elapsed or longer if the Minister so directs.

The prospecting licence is good until the end of the calendar year and gives its holder the right to stake off as many as ten 40-acre claims if he so desires. These claims are square and one-quarter of a mile on the side. They are marked by substantial posts at each of the four corners and the lines surrounding the claims must be clearly marked by blazing trees, planting pickets or raising small mounds as may be dictated by local conditions. The corner posts of the claim are numbered 1, 2, 3, 4, for the N.E., S.E., S.W., and N.W. corners respectively. No. 1 post must have upon it the name of the prospector, his licence number with the date and hour of staking. The other posts must bear the prospector's name.

The only exceptions to the requirement that each individual claim of a group of claims shall be staked are in those cases where land has been surveyed for mining purposes under authority of a former Act of the Legislature and it is desirable to bring such land under the provisions of the present Act, then only the outside boundaries of the group need be surveyed.

Where the claim lies among lots laid out for settlement the sides of the claim may conform with the sides of the lot, or be run north and east by the magnet, but where the claim is within territory not so surveyed then the side lines shall run north and east by the magnetic needle.

While it is not required of the prospector that he shall have the lines of his claim run by a surveyor, yet it is his privilege to have them so run if he desires and work thus performed by a surveyor will be reckoned as the equivalent of 10 days of certain required labour on the claim.

It is necessary that every claim so staked out shall within 30 days be registered at the office of the Mining Recorder in Fredrickton. There is a fee of \$1.00 for every claim so recorded.

In filing the claim, sufficient information in the way of a sketch must be given the Recorder that he may be able to lay down the location on his maps. There must also be an affidavit that the statements made regarding the claim are correct and that

at the time of staking there was nothing upon it to indicate it was not open to be staked. Whenever a claim is recorded the prospecting licence must be endorsed to that effect by the Recorder. Within three months after a claim has been recorded a metal tag supplied free of charge and having the claim number upon it, is to be put on each corner post.

Should the validity of a claim be disputed, provision is made for an official investigation after notice has been sent to interested persons. If no dispute stands against a claim after it has been recorded for 60 days then the Recorder on application shall give a certificate of record.

In order that mining rights on a claim may be continued beyond the last day of December in the current year it is required that 25 days' labour shall have been performed on it. If there are more claims than one and they are contiguous the work of all of them may be performed on one or more. Should the work consist of boring, then one foot of boring will be the equivalent of two days' work. There are three exceptions, however, in regard to this required labour during that period of time, so that should the date of recording be later than October 31st, or should the work be only partly performed, or if for good cause shown the prospector could not perform any of it, then on payment of \$1.00 per claim the right to the same may be extended throughout the next calendar year.

Mining Licences

At any time after the full amount of work has been performed on the claim or group of claims the holder thereof may apply for a mining licence. This licence will cost \$10.00 for each 40-acre claim. It will be good for the year in which it is taken out and for all of the next calendar year. After that it may be renewed from year to year at a cost of \$10.00 per claim, upon proof that 25 days' work has been performed for each 40 acres during the preceding period. Should there be failure on the part of the mining licence-holder to have had all the necessary work performed during any one year the licence may nevertheless in the discretion of the Minister be renewed on payment of the renewal fee of \$10.00, if after a report by the Inspector of Mines he is satisfied there was sufficient reason for the non-performance of the work.

Before a mining licence can be issued it will be necessary to file a return of the survey of the tract. This return must be made by a Deputy Land Surveyor at the cost of the applicant.

If any of the land to be taken under a mining claim or licence is privately owned, then it will be necessary for the applicant for a licence to furnish a bond with sureties satisfactory to the Minister in order to recompense the owner of the soil in case there should be surface damage.

A mining licence gives the holder the right to mine any minerals within its bounds except any which may have been already conveyed by the Crown under a licence or lease or disposed of in any other way.

Mining Leases

The holder of a mining licence who has complied with the requirements of his licence and who has under it opened up and for at least six months worked a mine may apply for and receive a lease good for a period of 20 years and renewable up to 80 years. The rental is \$10.00 a year for each 40 acres. The lease will be for certain specified mineral or minerals. Where a royalty is to be paid, it is specified in the lease and can only be changed by an Act of the Legislature except at times of renewal when a change can be effected by Order in Council. Royalty will be a credit on the rental after the initial year's rental has been paid so that where royalty exceeds the amount of the rental then there is no rental due.

The lessee is required to pay rent or royalty when due, to work his mine in a good and workmanlike manner, to regularly make reports of work and the men employed, and to submit a plan of his mine workings to the Minister once a year.

A mining lease is not cancelled for non-compliance with its terms or for any other reason until the lessee has been duly notified and has had an opportunity to be heard.

After a lease has been applied for the document should be executed and recorded within a year to prevent loss of rights.

Various Regulations of Importance

Provision is made under this Act for the obtaining by a lessee of the necessary right of way either for road or railway in order that he may have free access to his workings and may be able to conveniently deliver the product thereof. There is also provision made for the drainage of mining lands by outlets through adjoining lands not held by the applicant, and for the bringing in of any necessary water supply over such lands.

Mining rights may be transferred in whole or in part but such transfer should be registered in the office of the Mining Recorder at Fredericton. In the case of a lease the consent of the Minister is first required. There is a fee of \$1.00 for each transfer. Mining lease rights may also be surrendered to the Crown and thereafter liability on the part of the lessee ceases.

When a mining property is abandoned or the rights thereon cancelled, the former holder shall have six months within which to remove his personal property and ore, or longer time if necessary upon order of the Minister.

It is not intended that a licence or lease will give the holder rights in the surface more than are necessary for the convenient

opening up, working, and use of his mining property. The surface where utilized in connexion with underground work must be used in a manner which will cause as little injury as possible to the owners and occupants of the land or of adjoining lands.

Mining Rights in Existence Prior to the Passing of This Act

Provision has been made under the present law for the continuation of all rights in licences and leases existing under the Act which is replaced by the present one. Not only may they be carried on until their ordinary maturity but in all cases where a right to a working licence or to a lease would evolve from a searching licence then that right is granted. The holders of second, third, fourth, and fifth rights under the old Act will be entitled to such licences to search as were provided for in that Act notwithstanding the fact that in other respects the old Act is not now operative.

If so desired by the holders of rights under the old Act those rights may be exchanged for such corresponding ones under the existing Act as may be agreed upon by the holder and the Minister.

Where a prospectus inviting subscriptions for shares is issued by an incorporated company, the prospectus must first be submitted to the Minister of Lands and Mines for approval. Failure to do this will be sufficient cause for the cancellation of mining rights.

List of Acts

III.

- The Mining Act, Chapter 35, Revised Statutes of N.B., 1927.
- An Act to Amend Chapter 35, Revised Statutes of N.B., 1927.
- An Act to Amend Chapter 35, Revised Statutes of N.B., 1927, Section 125, 126, passed in 1928.
- An Act to Amend Chapter 35, Revised Statutes of N.B., 1927, Section 31, passed in 1929.
- An Act to Amend Chapter 35, Revised Statutes of N.B., 1927, Section 29, 39, passed in 1930.

Royalties

IV.

Royalties have been set as follows:—

Coal and oil shale as fixed by the Lieutenant-Governor in Council, but not to exceed 15 cents a long ton. The present rate per ton of 2,240 pounds is 10 cents.

Petroleum and natural gas, 5 per cent of the value at the well's mouth.

There is no royalty on limestone or gypsum.

Other products of the mine shall be subject to such royalty as may from time to time be imposed by the Lieutenant-Governor in Council.

Where it is deemed in the interest of development the Lieutenant-Governor in Council may by order provide that no royalty shall be collected for 10 years from the date of the lease.

V. Bounties
None.

VI. Schedule of Fees

Prospecting licence..	\$ 10 00
Recording each claim..	1 00
Recording a transfer..	1 00
Renewal of claim for the second year..	1 00
Cost of mining licence per claim per year on application and after the second year..	10 00
(First payment includes the year in which application is made and the next year.)	
Cost of 20 years' lease for each claim on application and for each succeeding year..	10 00
This rental will be deducted from any royalty which may be due.	

More detailed information and copies of the Mining Laws and Regulations for New Brunswick may be had on application to the Deputy Minister, Department of Lands and Mines, Fredericton, N.B.

QUEBEC

QUEBEC MINING LAWS

A. O. Dufresne

(Director, Bureau of Mines, Quebec).

- I. The Mining Law of Quebec, as it is found in the Revised Statutes of 1925, with the amendments made since, contains all the legislative provisions of the province at present in effect on the subject. It must be pointed out, as a bit of information from the past, that the first general Mining Act goes back to the year 1880. As it was the first legislative enactment referring to mining generally, we may be allowed incidentally to call attention to it. Previously, of course, certain rules or decrees had been promulgated, but these ordinances, although they had the same authority, were not of sufficiently wide scope to be ranged in the same category with the mining laws of the present day. They were enacted for the purpose of protecting local interests in the development of particular mineral deposits, such as iron, alluvial gold, phosphate, and others less easily defined. These early provisions have now practically disappeared. What may remain is subject to the present law known as the "Mining Law of Quebec." It constitutes Chapter 80 of the Revised Statutes of Quebec, 1925.

The Quebec Mining Act is administered by the Bureau of Mines under the direction of the Minister of Mines.

- II. In summarizing the provisions of the Mining Law of Quebec, we shall omit reference to the penalty clauses and confine our attention mainly to the clauses describing the practical steps to be taken; that is, to the part which refers to property rights, following up all phases through which the land passes from the moment of its leaving the public domain to its final acquisition by a private individual, and it may be observed here that in the matter of mining rights in Quebec aliens enjoy the same privileges as do British subjects.

The above-mentioned stages may be reduced to three: (1) the prospecting of the claim covered by miner's certificate; (2) the period of development required by the mining licence; and, finally, (3) the mining concession. The latter is subdivided into "mining concession" and "underground mining concession;" it may, also, be either merely conditional or made final by the issue of letters patent.

Miner's Certificate

The miner's certificate gives to the person holding it the right to prospect on all lands surveyed or unsurveyed, including the land of private persons where the mining rights have been reserved to the Crown.

The fee for a miner's certificate is \$10.00 payable on delivery. The certificate is valid from the date of issue until the first day of January next following. The prospector will do well to make sure that a territory is open for staking before venturing upon it.

The bearer of a mining certificate may stake on the ground on his own behalf one or more claims, but not more than five, each covering not more than 40 acres and the aggregate area of the five claims not to include more than 200 acres.

Each claim shall be square in shape and shall be marked by properly inscribed stakes at each angle, and well blazed lines.

Staking in surveyed areas is also governed by special regulations. In subdivided lands, claims are restricted to a half lot or to a quarter lot in cases where the lot contains more than 120 acres.

The claim must be staked without delay, and notice of it must be given within the 15 days following to the Bureau of Mines or to the nearest Mining Recorder.

The holder of a miner's certificate may also stake claims in the names of other persons who have certificates, but not exceeding a total area of 400 acres in any one year; that is to say, he may stake for two other persons. The procedure to be followed in that form of staking is governed by certain special rules.

The Mining Recorder provides the staker of a claim with aluminium identification plates to be placed on each stake within the three months following the staking.

A claim may be abandoned and replaced by another, provided notice to that effect is given to the Bureau of Mines. Land covered by a claim that has been abandoned cannot be reopened for prospecting nor restaked until a period of 15 days has elapsed from the date of abandonment, or expiry, during which time a notice of it may be posted up.

Any prospector may protest the establishment of a claim obtained by illegal means, by laying before the Bureau of Mines a declaration supported by an affidavit, within the 15 days following the recognition of the claim which may then be cancelled as illegal.

The holder of a claim must, within the 12 months following the date of staking, prove that he has done on the claim development work equivalent to 25 days of eight hours. The work for five contiguous claims can be concentrated on one.

Mining Licence

Within the period of 12 months, allowed for the required assessment work, the holder of a claim who wishes to maintain his rights over it must secure a mining licence; this delay is extended to 24 months for claims located 100 miles or more in a straight line from the nearest railway point.

The fee for a licence is \$10.00, and the annual rental, 50 cents per acre. The licence is valid for one year from the date of issue, and is transferable by consent of the Minister. It cannot cover more than 200 acres and, in surveyed territories, half or a quarter of a lot, according as the area of the latter measures more or less than 120 acres.

The holder of such a licence may renew it before it expires, or within 10 days thereafter, on payment of a like fee of \$10.00, and an annual rental of 50 cents per acre, and, on filing an affidavit stating that the required development work for the year during which the licence is current, namely 25 days of eight hours each for every 40 acres, has been done. An excess of work done within any one year may be applied on the next year, as well as the cost of surveying and core drilling.

In the case of lands situated more than 50 miles from a railway, the Minister may substitute an additional annual rental of \$1.00 in lieu of the required development work. That substitution, in fact, may be granted in any case where the Minister deems it advisable. The fee for a mining licence exclusively for industrial and commercial purposes is always \$1.00 a year per acre, upon the filing of a special declaration under oath. In the case of a group of claims not exceeding five in number adjoining one another, the development work may be concentrated upon one of them. The development of an underground mine can only be undertaken with the permission of the owner of the surface rights, or failing such permission by arbitration.

Mining licences covering natural gas and the mineral oil are the subject of special procedure and the same may be said of excavations made near dwelling houses. The special directions concerning claims and property licences must be strictly followed.

Mining Concessions

Notwithstanding the foregoing, a mining concession may be made at any time and at any stage of the claim or of the mining licence, without delay. The cost is \$5.00 per acre for the "superior metals and minerals" as defined by the regulations, and \$3.00 per acre for the "inferior minerals." A mining concession is limited in unsurveyed territory to a rectangular area of not more than 200 acres nor less than 40 acres, the claims to be at least 20 chains wide, adjoining one another or separate. In surveyed lands and in seignories, the limit is fixed at not more than two

lots and not less than half a lot in the case of lots less than 120 acres in area; or of not less than a quarter of a lot where the lots are larger; with certain exceptions provided in special cases.

Any owner of mining lands, even if his title deeds are only conditional, may transfer his mining rights with the consent of the Minister. The Bureau of Mines must be advised of the sale by the dispatch to them of the deed, together with the sum of \$10.00 for registration fee. The same is true in the case of transfers of lots held as claims or under a mining licence.

The Crown retains full mining rights on: (1) lands in townships, granted subsequent to July 24, 1880, and (2) in the case of gold and silver, in lands granted previous to that date.

In seigniories, all mining rights belong to the Crown, with a few exceptions which it is not necessary to mention here.

Special conditions apply to concessions along lakes and rivers.

Underground concessions situated under the lands of private owners may also be acquired from the Minister by purchase.

The concession covering "superior metals" is inclusive of "inferior metals," but not the reverse.

The grantees of a concession may utilize the wood on it for the construction of necessary buildings by paying the value of the white and red pine only.

III.

List of Acts

The Quebec Mining Act, R.S.P.Q. 1925, Chap. 80.

Amended by:

16 Geo. V., Chaps. 14 and 27.

17 Geo. V., Chap. 28.

18 Geo. V., Chap. 32.

19 Geo. V., Chap. 26.

20 Geo. V., Chap. 41.

The Iron Ore Premium Act, R.S.P.Q. 1925, Chap. 81.

The Quebec Mining Companies' Act, R.S.P.Q. 1925, Chap. 82.

Amended by:

20 Geo. V., Chap. 42.

IV.

Royalties

None.

V.

Bounties

Iron Ore Bounty: A premium at the rate of four-fifths of one cent for each unit of iron metal contained in every ton of iron ore.

VI.

Schedule of Fees

Miner's certificate	\$ 10 00
Registration of claims.....	free
Mining licence, fee.....	10 00
Annual rental.per acre.	50
Mining concession, superior metals.....per acre.	5 00
Mining concession, inferior metals.....per acre.	3 00

More detailed information and copies of the Mining Laws pertaining to the province of Quebec may be had on application to the Director, Bureau of Mines, Quebec.

ONTARIO

ONTARIO MINING LAWS

Thos. W. Gibson

(Deputy Minister, Ontario Department of Mines, Toronto).

I. Before proceeding to give details of the mining laws of Ontario, it may be well to make a few statements of general application.

Ontario owns and administers all the public lands within her boundaries, except Indian lands, which are under the control of the Government of Canada.

Mining lands are subject to the provisions of the Mining Act of Ontario, summarized below:

The usual form of title given by the Crown is a grant in fee simple. In Provincial Forests 10-year renewable leases only are given. The beds of navigable waters are neither patented nor leased, but licences of occupation may be issued authorizing the extraction of minerals.

Mining divisions are set apart covering the mineral areas, and a resident Mining Recorder is appointed for each. Up to the time of issue of Crown title, all agreements, transfers, and other documents respecting mining claims are required to be filed in the Recorder's office.

Mining Recorders have authority to settle disputes between licencees, subject to appeal to the Judge of the Mining Court. In cases of importance, appeal may be made from the mining judge to the ordinary courts of law.

The mineral area being mainly in the newer districts where the Land Titles Act is in force, the original instrument of title is forwarded to the Local Master of Titles for the district in which the land is situated. All subsequent transfers, etc., are also filed with the Local Master, who, when required will issue a certificate showing ownership in the person named therein.

Grants of land by the Crown for other than mining purposes convey also the minerals. There are a few exceptions, but this is the general rule.

II. **The Mining Act**

The fundamental requirement for taking up Crown lands for mining purposes is the possession of a miner's licence, without which no one can prospect for minerals, acquire, or hold ungranted mining lands. All licences expire on the 31st day of March next after the date of issue, and may be obtained or

renewed at a cost of \$5.00 for an individual, or for a larger sum by a mining company, proportionate to its capitalization. Failure to renew a licence automatically forfeits all mining claims depending on its validity.

The holder of a licence may stake out three claims per annum for himself in any and every mining division, and six more for not more than two other licence-holders, i.e., three for each.

Discovery of mineral is not required.

A mining claim in unsurveyed territory consists normally of a square of 40 acres, 20 chains to a side, and is staked out by planting four posts, No. 1 at the northeast corner, No. 2 at the southeast corner, etc., and by connecting the posts with blazed lines, if in forest country, or by mounds of earth or rock where the land is bare. Bearings are astronomical. The Mining Act gives specific directions for staking claims.

The next step is to file an application for the claim with the Recorder for the mining division. The application is accompanied by a sketch showing as accurately as possible the position of the claim with reference to some known point previously established by survey, or in the absence of such, to some prominent physical feature such as a river or lake.

Fifteen days are allowed for recording, and one additional day for each additional 10 miles distance from the Recorder's office. Metal tags impressed with the number of the mining claim are supplied by the Recorder, which the claim-holder must affix to his corner posts before expiry of the period for performing the first instalment of work.

A claim-holder must do 30 days' work within three months of recording the claim, consisting of stripping, trenching, digging test pits, drilling or other actual work. Roads, cabins, etc., are not classed as mining work.

The winter season, namely, from the 16th of November to the 15th of April, is excluded from the period within which the first 30 days' work must be done. Thus on a claim staked, say on the 1st of November, working conditions would obtain only until the 16th of November, when they would be suspended until the 15th of April the following year. They would then again take effect, the three months' period expiring the 30th of June.

In each subsequent year computed from the date of recording, 40 days' work is required, and an additional 10 days in one or other of the years, five in all, to make up a total of 200 days' work. The work required, however, may be performed within a shorter period, if desired.

A claim-holder must, not later than 10 days after the expiry of each work period, file with the Recorder an affidavit showing performance of the work, giving particulars of the same. If in unsurveyed territory, he must also have the claim surveyed by an Ontario Land Surveyor, and file a plan and field notes, two

copies with the Recorder and one copy with the Department of Mines. The survey must be made in accordance with the instructions contained in the Act and regulations.

Any water-power capable at low-water mark and in its natural condition of producing 150 horse-power or upwards, is not deemed part of the claim for the uses of the claim-holder.

Requirements as to work and survey having been met, the holder of a claim may at any time previous to one year after date on which the work is required to be completed, pay in the purchase money and receive a patent (fee simple) or lease, as the case may be. The price for a patent is \$2.50 per acre in unsurveyed and \$3.00 per acre in surveyed territory. In Provincial Forests leases (renewable) only are given, the first year's rental being \$1.00 per acre and for subsequent years, 25 cents.

In surveyed territory, that is where the Crown has subdivided the land into townships, concessions, and lots, a claim must consist of an aliquot portion of a lot. The area may be either 40 or 50 acres, according to the style of survey dividing the land into lots of 320, 100, or 200 acres each.

In timbered territory or lands under timber licence, a permit to perform work must be obtained from the Provincial Forester.

The Act provides for "placer" claims and dredging leases. It also makes special provision for prospecting for petroleum, gas, coal, and salt in the northern parts of the province.

Mining partnerships are authorized and rules provided governing the same.

On opening up a deposit of mineral, the operator becomes subject to Part VIII of the Act, which contains detailed regulations intended to protect the health and lives of miners and workmen.

The hours of work underground are limited to eight in any twenty-four. Mining Inspectors are appointed to see that the regulations are properly observed. An inquest is required wherever a fatal accident occurs, and an Inspector is entitled to be present and examine witnesses.

Sanitation; care and use of explosives; protection in working places; handling water; ladderways; raising or lowering persons; shaft equipment; hoisting; haulage, scaling; escapement shafts; signals; protection of machinery; boilers; dressing-rooms; aid to injured; prevention of dust; blast furnaces; electrical machinery and apparatus, are all regulated or provided for. There are special rules to combat silicosis in miners.

The Mining Act authorizes the Minister of Mines: (1) to acquire and operate diamond drills to be used in prospecting for ores or minerals either on Crown or privately owned lands; (2) to operate works for sampling, assaying and treating ores of the precious metals, also to purchase such ores. (Purchases of ore are in practice confined to parcels of gold ore extracted by prospectors in developing their claims).

A special tribunal is provided called the Mining Court of Ontario, presided over by a Judge duly appointed, for the settlement on appeal to him from the decision of a Recorder, of all disputes regarding lands, whether patented or unpatented, arising under the Mining Act. The Judge has also power to grant easements, etc., on other lands for the proper working of any mine.

Penalties are provided for infringements of the Act and regulations for prosecution of offenders.

Regulations re Surveys of Mining Claims

1. A Manual of Instructions concerning methods to be used by Ontario Land Surveyors when surveying mining claims was approved by Order in Council dated 12th March, 1930. Copy of same may be obtained on application to L. V. Rorke, Surveyor General, Department of Lands and Forests, Toronto.

2. A Mining Recorder on receipt of an affidavit by an Ontario Land Surveyor that he has made the survey of a given mining claim within the period during which any work is required by the Mining Act to be done thereon, giving the date of the survey and the actual cost of the same, and of an undertaking by such surveyor that he will forward or cause to be forwarded to the Recorder not later than two months after the close of the period for doing the work, plan, and field notes of the same, may enter on the record of the claim the amount of work represented by the survey subject to Section 80, Subsection 9, of the Mining Act, and the Recorder may cancel the entry in default of such receipt within said two months.

Regulations re Boring Permits

1. The holder of a miner's licence is limited to three applications for boring permits, regardless of the mining division or divisions in which the land may be situate.

2. An application for a boring permit shall be endorsed by the Mining Recorder on the applicant's licence, and shall count the same as a mining claim in respect of the number of mining claims a licence-holder is entitled to stake out.

3. The holder of boring permits on three contiguous areas who has given notice to the Minister of Mines of his intention so to do, may perform, or cause to be performed, all the work required by the Mining Act of Ontario on one or two of them.

4. In computing the amount expended on working conditions, the holder of a boring permit may reckon as expenditure not more than 25 per cent of the cost of machinery placed upon the ground during the term of such permit for the development of the area.

5. Boring or diamond drilling may be allowed on working conditions at the rate of \$10.00 per foot.

6. The actual cost of surveying an area covered by a boring permit may be allowed on working conditions, but not more than \$150 shall be so allowed.

7. The holder of a boring permit shall not later than 30 days after the date on which the permit expires, deliver a report in writing to the Minister of Mines showing the work done under the permit during the term of the same, and giving the names and residences of the men who performed the work and the dates upon which each man worked in its performance. If boring or diamond drilling is done, the said holder shall also furnish to the Minister a sketch showing the position and depth of the holes, also if test pits are put down or shafts sunk, like information regarding the same, together with such particulars as the Minister may require regarding the depth, thickness and nature of any deposit of economic character penetrated or met with in such holes.

8. The fee for filing an application for a boring permit staked out by a licence-holder on his own licence shall be \$5.00 and if staked out on behalf of another licence-holder the fee shall be \$10.00.

Sand and Gravel Regulations

1. In these Regulations:—

- (a) "Minister" shall mean the Minister of Mines.
- (b) "Sand" shall mean earth, clay, sand, gravel and stone, the property of the Crown in right of the province of Ontario.

2. Except as provided by The Beach Protection Act and by these Regulations, no person shall take or carry away any sand from any land under the waters of, or from any bar or flat in, any lake, river, or stream.

3. Subject to these Regulations and such other conditions and provisions as to him may seem expedient, the Minister may issue licences authorizing the removal of sand.

4. Every such licence shall be for one dredge or operating plant only and shall expire on the 31st day of December next after date of issue.

5. The applicant for a licence shall file a satisfactory plan of the area applied for, showing as nearly as may be the position, extent, and nature of the deposit or deposits, the depth of water covering the same at various points, the method or methods proposed for working or removing the sand, and any and all other particulars which the Minister may require.

6. The fee for a licence shall be \$100, payable on the issue of a licence or renewal thereof.

7. The licensee shall pay to the Crown a royalty or charge per cubic yard of sand removed at such rate or rates as may be specified in the licence, and payment of the same shall be made within 10 days after the end of every month.

8. At the time of payment of the royalty or charge the licensee shall transmit to the Minister a return showing the quantity of sand excavated or removed, sworn to by the licensee, his agent, or manager.

9. It shall be at all times lawful for the Minister or his agents to enter upon the premises or plant and have free ingress and egress to, from and over all buildings, erections, and vessels, and full and complete access to all books, accounts, and letters used for or in connexion with the operations, and may examine the same and take copies thereof or abstracts therefrom for all the purposes of the licence.

10. The licensee shall not export or permit to be exported from Canada any sand taken from the area covered by the licence without leave in writing from the Minister.

11. The Captain, master, or other person in charge of the vessel or vessels engaged in taking or removing sand under licence shall when and so often as required make a return on the form prescribed of the quantity or quantities of sand so taken or removed, giving dates, localities, and other particulars required, and if any such statement be false or incorrect in any material particular, the Minister may suspend or cancel the licence, and the licensee shall not be entitled to claim compensation for any loss or damage that may be sustained by reason of such suspension or cancellation.

12. The Minister, at his discretion, may issue a licence without giving the licensee exclusive rights to take sand from the area described therein, and may reserve the right to issue similar or other licences upon application therefor.

13. The licensee shall, to the satisfaction of the Minister, before commencing any work, give security for the due performance of the conditions of the licence in a bond of some duly licensed and approved Guarantee Company.

14. The Minister may suspend or cancel a licence at any time, and the licensee shall not be entitled to claim compensation for any loss or damage that may be sustained by reason of such suspension or cancellation.

15. The Minister may take or authorize to be taken from the area covered by the licence, without payment, any sand required for the uses of the Crown, and the royalty or charge mentioned in the licence shall not be payable in respect of any sand so taken.

16. A licence shall not be assigned, transferred, or sublet without the consent in writing of the Minister.

17. The licensee shall not interfere with navigation and shall be responsible for injury to public or private rights arising from the exercise of his powers under the licence.

18. All Regulations respecting the issue of licences for the removal of sand and gravel from lands under the waters of the Great Lakes, etc., made by virtue of The Public Lands Act, R.S.O., 1914, Chapter 28, are hereby revoked.

Regulations *re* Mining Claims in Provincial Forests

Extracts from Regulations affecting mining claims in Provincial Forests (formerly known as Forest Reserves) are as follows:—

2. No land within any Forest Reserve shall be located, sold, leased or otherwise disposed of for purposes of agricultural settlement; and, except under regulations to be made by the Lieutenant-Governor in Council, no person shall use or occupy any such land, prospect for minerals, conduct mining operations, hunt, fish, shoot, trap, spear, or carry, or use firearms or explosives within or upon such Reserve.

4. No person shall prospect for minerals in any Reserve except by the authority of a permit issued in that behalf by the Minister, or by a Mining Recorder duly authorized by the Minister to issue such permits, for which a fee of \$10.00 shall be paid, and the Minister, or such Mining Recorder, may, before issuing such permit, require any applicant to furnish security in the amount fixed by the Minister for the due observance of these Regulations and the Act respecting Forest Reserves. Such permit shall run for not more than 12 months from the date of issue and shall be forfeited and void upon non-compliance with the terms thereon or any breach of these Regulations or the said Act.

5. No lands shall be disposed of for mining purposes in any Reserve which, in the opinion of the Minister, are valuable for the timber thereon, or in the vicinity of any considerable quantity of timber, and all timber of every kind upon lands in the Forest Reserve located, sold or leased, shall be reserved to the Crown. Provided that the Minister may permit the owner or lessee of any such lands to cut and use such trees thereon as the Minister may think proper, but only for the purpose of building, fencing, and fuel on the said lands, or for other purposes essential to the carrying on of mining operations thereon and upon payment therefor at such prices as the Minister may direct. The owner or lessee of such lands shall clear such portions thereof only as may be approved by the Minister, and when required so to do by the Minister shall cut and clear such fire lanes as he may deem necessary for the protection of the timber on the said lands or on lands adjoining from fire.

6. No mining operations or work required by the Mining Act of Ontario to be performed on or in respect of any mining claim shall be begun or performed in any Reserve without the consent in writing of the Minister being first obtained, and the application for such consent shall specify the lands on which it is proposed to begin or perform such operations or work, the nature and extent thereof, the number of men to be employed, the buildings to be erected, and such other particulars as the Minister may require.

7. No ores containing sulphur or other deleterious substances shall be roasted in the open air in any Reserve or treated in such a way as to expose the trees and other vegetation therein to injury.

17. No lease under the Mining Act of Ontario shall be issued for mining lands in any Forest Reserve until the working conditions specified in said Act have been fully completed, that is to say, until the whole amount of work required by the Act to be done within three years and three months has been performed, and satisfactory proof thereof, as required by the Act, filed in the Department.

18. The rental chargeable under such lease shall be \$1.00 per acre for the first year and 25 cents per acre for subsequent years during the first period of 10 years, and for subsequent renewals, for 10-year periods, at the rate of 10 cents per acre per annum.

Regulations re Permits to Work on Mining Claims

Copy of an Order in Council approved by The Honourable the Lieutenant-Governor dated the 9th day of December, A.D., 1930.

Having reference to the memorandum of the Deputy Minister and Acting Deputy Minister of Mines, hereto attached, respecting written permits now required by the Forest Fires Prevention Act (Section 24) to be obtained from the Provincial Forester or other authorized officer, for the performance of work on mining claims not patented or leased as the case may be, and having regard to Section 186 of the Mining Act, and upon the recommendation of the Honourable the Minister of Mines, the Committee of Council advise that the following regulations be made and provided:

Where the Minister of Lands and Forests has prohibited the performance of the first or other period of work required by the Mining Act on any mining claim wheresoever situated, not patented or leased, as the case may be; or has restricted the same to a stated period; or has given such permission subject to conditions or limitations designed to afford protection to timber or for any other reason;

And where application to the Provincial Forester or other officer authorized under the Forest Fires Prevention Act, 1930, is not made for a permit to perform such work, or;

Where a permit is issued and the required work is not performed and recorded on or before the 15th day of November, 1931, any such mining claim shall be subject to cancellation, and;

That in computing the time within which any further work described by the Mining Act is required to be done on any mining claim to which the foregoing regulations apply, the computation shall be made as from the said 15th day of November, 1931.

Regulations Made Under the Unwrought Metals Sales Act, 1924

A licence issued in pursuance of the Unwrought Metal Sales Act, 1924, shall be dated on the day of the issue thereof and shall expire at midnight on the 31st day of October, then next ensuing. The fee payable for a licence shall be \$2.00.

A licence shall be renewed on production of the same on or before the date of the expiry thereof and on payment of a fee of \$2.00.

Every licensee shall keep a book of record in which he shall enter particulars of every purchase, sale, and disposal of metal by him within 24 hours after the same is made. Such book of record shall be at all times open to inspection and examination by the Minister of Mines, or anyone authorized by him.

Every licensee shall, without notice or demand and within 10 days after the end of every month, make up and deliver to the Minister of Mines a return containing the particulars of every purchase, sale or disposal of unwrought metal made by him each month.

The Minister of Mines may prohibit the carrying on of business by a licence-holder in any particular locality or for any particular period or during any stated hours of the day.

Offences against the Act shall be punishable by certain penalties as specified in the Act.

The Mining Tax Act

1. On patented or leased mining lands in unorganized territory, there is a tax of 5 cents per acre per annum. Failure to pay this tax for two years or more, renders the land liable to resumption by the Crown.

2. Taxation is levied on the annual profits of mines, at the rate of 3 per cent on all profits in excess of \$10,000 up to \$1,000,000; 5 per cent on profits from \$1,000,000 to \$5,000,000, and 6 per cent on the excess above \$5,000,000. In ascertaining profits, all working costs and expenditures are deducted from the gross revenue. Dividends are not reckoned as costs and no allowance is made for exhaustion of the mine. Mines and mining work are largely exempt from local taxation, but where a mine is situated in a municipality a specified proportion of the tax on profits is payable to the municipality.

The Mining Tax Act also imposes a tax of two cents per thousand cubic feet on natural gas, but allows a rebate of 90 per cent if the gas is consumed in Canada. The net tax is, therefore, two-tenths of one per cent.

Regulations Under Natural Gas Conservation Act

Gas shall be supplied to consumers according to the order of preference specified in the Act.

The heating equipment for which gas may be supplied shall include only such appliances as are constructed and equipped for heating purposes, ordinary steam power boilers used for steam heating shall not be supplied with gas.

Gas will be supplied for special purposes where, in the opinion of the Commissioner, natural gas is essential, a limited amount may be allotted under special permit. Permits shall expire on a date not later than October 1st of the year in which they are issued, but no gas may be sold or used for any purpose other than cooking and heating (as provided for in Section I) without a special permit.

Gas may be supplied under annual permit in accordance with the provisions of the Act.

Every person before prospecting for gas or acquiring by lease or otherwise rights in gas, whether acting for his own behalf or on behalf of others, shall obtain a licence from the Natural Gas Commissioner, and the fee for such licence shall be \$5.00.

Every owner of a drilling rig shall, before using the same, obtain from the Natural Gas Commissioner a licence for each rig operated, and the fee for such licence shall be \$5.00.

The owner of every drilling rig shall collect samples of rock cuttings in every well drilled, at about every five feet; such samples shall be plainly marked with the identity of the well, date, depths, etc., on the receptacles furnished by the Commissioner, and upon completion of the well the same shall be forwarded to the Commissioner, along with a log of the well on a form provided by the Commissioner on application.

Every person or company producing, transmitting (by pipeline), or distributing natural gas shall:—

- (a) Obtain a licence from the Commissioner for each class of operation. The fee for such licence shall be \$10.00, but this fee shall not apply to any person or company, producing, transmitting, or distributing, as the case may be, less than one million cubic feet per annum, based on the previous year's business.
- (b) Furnish the Commissioner with plans on a scale not smaller than one mile to one inch, showing the location of all wells drilled or to be drilled, meters and regulators (excepting consumers'), also pipes and pipe-lines with their respective diameters; also plans of alterations as made.

Every licence issued by the Commissioner shall expire on the 31st day of December of the year in which the same is issued and may be renewed from year to year upon payment of the licence fee.

If gas is encountered in any drilling operations in any district where other minerals or substances are being sought for, such operations shall come under these regulations and shall not be continued until a licence has been procured.

No drilling for gas shall be done upon any highway without the permission of the Commissioner.

The above are only a few of the various regulations. The reader is referred to the official text for detailed information on this subject.

Regulations Under the Well Drillers' Act

1. All owners or operators of drilling rigs before using the same shall obtain a licence for each drilling rig in operation from the Natural Gas Commissioner before drilling for oil or natural gas, such licence to expire on the last day of the year for which it is issued, and no drilling operations shall be carried on without a licence.

2. Licence fees for drilling rigs shall be \$5.00.

3. Before drilling any well for oil or gas, the owner or operator of the drilling rig shall notify the Natural Gas Commissioner at least two weeks before commencing operations and show the location of such well on a form to be obtained from the Commissioner (Form 7), in order that any instructions regarding the collecting of geological data may be issued.

4. The owner or operator of every drilling rig shall forward to the Natural Gas Commissioner:—

(a) Unwashed samples, as collected, of rock cuttings in every well drilled, taken at about every five feet; such samples to be plainly marked with the identity of the well, date, depths, etc., on the receptacle furnished by the Commissioner on application.

(b) A log of the well on a form to be supplied by the Commissioner (Form 11) on application and showing a definite location and all other information as set out on such form.

(c) Samples of all mineral water encountered at different depths (in quart bottles or other suitable containers) plainly marked with the location of the well and the depth and formation from which it originated.

5. (a) Should anyone fail to carry out any of the conditions of these regulations, it shall be deemed a breach of these regulations.

(b) Anyone who disobeys any regulations made under this Act may have his licence cancelled at the option of the Minister.

Plugging Regulations

An abandoned well shall not be plugged until the owner or other person in possession or control thereof shall have given the Commissioner at least two weeks' notice by registered mail of the date on which the plugging is to be done, so as to enable

the Commissioner or Inspector to be present and approve the method of plugging; and in the case of a gas well, he shall, at least two weeks immediately before such date, close in the same in such a manner that no gas may escape.

The Regulations contain detailed instructions on how to proceed in plugging wells under various conditions.

III. **List of Acts and Regulations**

Acts

- The Mining Act, R.S.O. Chap. 45, amended 18 Geo. V. Chap. 16; 19 Geo. V. Chap. 15; 20 Geo. V. Chap. 8.
- The Mining Tax Act, R.S.O. Chap. 28, amended 20 Geo. V. Chap. 21, Sec. 3.
- The Iron Ore Bounty Act, 20 Geo. V. Chap. 9.
- The Radium Act, R.S.O. Chap. 46.
- The Natural Gas Conservation Act, R.S.O. Chap. 47, amended 19, Geo. V. Chap. 16.
- The Well Drillers Act, R.S.O. Chap. 48.
- The Damage by Fumes Arbitration Act, R.S.O. Chap. 49.
- The Unwrought Metal Sales Act, R.S.O. Chap. 50.
- The Fuel Supply Act, R.S.O. Chap. 51.
- See The Railway Act, R.S.O. Chap. 224, also R.S.O. Chap. 170.
- The Beach Protection Act, R.S.O. Chap. 298, amended 19 Geo. V. Chap. 77.

Regulations

- Regarding the Survey of Mining Claims.
- Regarding Boring Permits.
- Regarding the removal of Sand and Gravel from Lands of the Crown under Water.
- Regarding Forest Reserves (now Provincial Forests).
- Regarding Permits to work on Mining Claims.
- Regulations under the Unwrought Metal Sales Act, 1924.
- Regulations under Natural Gas Conservation Act.
- Regulations under The Well Drillers Act.

IV. **Royalties**

There are no royalties on ores mined in Ontario, but charges are levied on sand and gravel dredged from the lands of the Crown under water.

V. **Bounties**

The Iron Ore Bounty Act, 20 Geo. V, Chapter 9, provides a bounty of one cent per unit of metallic iron in the long ton of low-grade iron ore beneficiated in Ontario, so as to be suitable for use in the blast furnace, or on natural ore of commercial quality smelted in Ontario.

The Radium Act, R.S.O., Chapter 46, offers a reward of \$25,000 for the discovery of radium in commercial quantity in Ontario.

VI.

Schedule of Fees

1. For a miner's licence or renewal thereof for an individual (See Sections 25, 188).....	\$ 5 00
2. For an individual miner's licence issued on or after 1st October in any year. (See Sections 25, 188).....	3 00
3. For a miner's licence or renewal thereof for a mining partnership where not more than two partners. (See Sections 25, 188)	5 00
4. For a miner's licence or renewal thereof for a mining partnership where more than two but not more than five partners. (See Sections 25, 188).....	10 00
5. For a miner's licence or renewal thereof for a mining partnership where more than five partners. (See Sections 25, 188).	20 00
6. For a miner's licence or renewal thereof for a company where capital authorized by letters patent or licence under The Extra Provincial Corporations Act does not exceed \$40,000. (See Sections 25, 188).....	25 00
7. For a miner's licence or renewal thereof for a company where capital authorized by letters patent or licence under The Extra Provincial Corporations Act is over \$40,000 but not exceeding \$100,000. (See Sections 25, 188).....	50 00
8. For a miner's licence or renewal thereof for a company where capital authorized by letters patent or licence under The Extra Provincial Corporations Act is over \$100,000, but not exceeding \$500,000. (See Sections 25, 188).....	75 00
9. For a miner's licence or renewal thereof for a company where capital authorized by letters patent or licence under The Extra Provincial Corporations Act is over \$500,000, but not exceeding \$1,000,000. (See Sections 25, 188).....	100 00
10. And for each additional \$1,000,000 or fraction thereof, (see Sections 25, 188); provided that in cases where the authorized capital of any such company is over \$1,000,000 and it is by affidavit of the president or secretary thereof proven to the satisfaction of the Minister or Deputy Minister that any part of such capital is actually being used in some other business enterprise and not in mining business within Ontario, such part may be deducted in fixing the licence fees herein provided for.....	100 00
11. Where the shares of a company have no par value the fee for a miner's licence or renewal thereof shall be based on the actual value of the shares at the time of issue of the licence or renewal as shown by affidavit of the president or secretary of the company, or as may be determined by the Minister, at the rate of \$100 for every million dollars so ascertained, but in no case shall the fee be less than.....	40 00
12. Whenever a miner's licence for a mining partnership or for a company is issued on or after 1st October in any year, the fee shall be only one-half the amount above specified.	
13. For recording each claim or boring permit staked out by a licensee on his own licence. (See Sections 60, 188).....	5 00
14. For recording each claim or boring permit staked out by a licensee on behalf of another licensee. (See Sections 60, 188).....	10 00
15. For examining claim record book, per claim; fee to be for recorder's own use. (See Sections 10, 188).....	10

16. For inspecting any document filed with a mining recorder; fee to be for recorder's own use. (See Sections 11, 188)...	10
17. For recording a dispute, per claim. (See Sections 63, 188)....	10 00
18. For certificate of record of claim. (See Section 65, 188).....	1 00
19. For certificate of performance of working conditions. (See Sections 80, 188).....	1 00
20. On filing appeal from recorder's decision. (See Sections 130, 188).....	10 00
21. On filing appeal from Judge's decision. (See Sections 147, 188).	20 00
22. For filing transfer or agreement to sell or transfer the whole or part of a mining claim, quarry claim, working permit or boring permit, power of attorney, revocation of power of attorney, copy of writ of execution, discharge of execution or any other instrument affecting any recorded claim, right or interest, per claim. (See Sections 75, 110, 188).....	2 00
23. For a "Substituted Miner's Licence." (See Sections 30, 188) ..	1 00
24. For a special renewal licence under Section 88, to save forfeiture, twice the prescribed licence fee.	
25. For filing report of work under Section 88, to save forfeiture...	10 00
26. For certificate relieving from disqualification under Section 58.	20 00
27. For recording extension of time for performing working conditions or making application and payment for patent or lease per claim. (See Sections 82, 88, 188).....	1 00
28. For recording an order or judgment of the Judge, or made on appeal from him. (See Sections 79, 188).....	1 00
29. For recording a certificate that interest in claim or other recorded right or interest is called in question, per claim. (See Sections 79, 188).....	10 00
30. For filing certificate of mining partnership or certified copy thereof. (See Sections 114, 188).....	1 00
31. For recording certificate of revocation of agent and appointment of new agent for mining partnership. (See Sections 114, 188).....	1 00
32. For recording transfer of share or shares in a mining partnership. (See Sections 114, 188).....	25
33. For copies or certified copies of any document, paper, or record obtained from any officer, per folio.....	10
34. Additional fee for the recorder's own use with every application for a mining claim or boring permit including swearing the affidavit, if sworn before the recorder, and for every other affidavit sworn before a recorder.....	25
35. For abstract or copy of entries in record book respecting any mining claim, per folio (100 words) 10 cents, minimum charge per claim.....	25
36. For filing an application for a mining claim under Section 64..	10 00

More detailed information and copies of the Mining Laws and Regulations for Ontario may be had on application to the Deputy Minister, Ontario Department of Mines, Toronto, Ontario.

MANITOBA**MINING LAWS OF MANITOBA**

George E. Cole

(Director, Mines Branch, Department of Mines and Natural Resources).

- I. The province of Manitoba has since July 15, 1930, administered its own natural resources. Previous to that time the authority for the leasing and disposal of mineral lands was in the hands of the Government of the Dominion of Canada.

The Department of Mines and Natural Resources was created in Manitoba on March 9, 1928, in order to assist the development of resources other than those of agriculture.

The Minister presiding over the Department of Mines and Natural Resources is a Member of the Provincial Government with headquarters at the Parliament Buildings, Winnipeg, Manitoba. The work under the Mines Act is taken care of by a Director of Mines.

- II. The province has had a Mines Act since 1897, which was consolidated in 1913 and amended in 1927 (S.M. Chapter 38), 1928, (S.M. Chapter 41), and 1929, (S.M. Chapter 35). In 1930, the Legislative Assembly of Manitoba enacted the Mines Act (S.M. Chapter 27) repealing the Act of 1913 but retaining all regulations in force under that Act as part of the new act. The Act as amended in 1927 provided for the making of general rules for the protection of workmen engaged in and about mines. Rules under the Mines Act passed by Order in Council effective as of date November 1, 1928, regulate the use and care of explosives, the installation of proper ventilation and sanitary conveniences, protection in working places, provision for suitable dressing rooms, equipment and means of furnishing aid to the injured, safety in hoisting and lowering equipment, use of electrical power, fire prevention precautions, as well as providing for the inspection of mines, mine works, and all matters in connexion therewith.

On opening up a deposit of mineral the operator becomes subject to these rules under the Mines Act.

During the 1930 session, the Legislative Assembly of Manitoba enacted a "Provincial Lands Act" (S.M. Chapter 32), wherein all mines and minerals are reserved to the Crown out of every disposition of Provincial lands. Further provision is made for the right to enter, locate, prospect, and mine such minerals in a manner and on such terms and conditions as are set forth in the Mines Act and regulations thereunder.

Mineral lands and rights are administered by the Mines Branch, Department of Mines and Natural Resources, subject to the provisions of the Mines Act (S.M. Chapter 27), 1930. Regulations under this Act put into force by Order in Council govern the administration and leasing of—

- (a) Mineral claims—gold, silver, copper, zinc, etc.
- (b) Boring permits—natural gas, oil shale, petroleum, coal, and salt.
- (c) Quarrying locations—granite, limestone, marble, slate, or any building stone, gypsum, gravel, marl, peat and sand.

These regulations are not given in detail as they are not yet available for publication.

III.

List of Acts

The Mines Act (S.M. Chapter 27), 1930.

Rules under "The Mines Act" effective since November 1, 1928, by Order in Council (governing mine operation).

Regulations under "The Mines Act" governing disposal of:

- (a) Mineral claims
- (b) Boring permits
- (c) Quarrying locations.

Provincial Lands Act (S.M. Chapter 32), 1930.

IV.

Royalties

None.

V.

Bounties

None.

VI.

Schedule of Fees

1. For a miner's licence or renewal thereof for an individual....\$	5 00
2. For an individual miner's licence issued on or after the 1st March in any one year.....	3 00
3. For a miner's licence or renewal thereof for a mining partnership having more than two partners.....	5 00
4. For a miner's licence or renewal thereof for a mining partnership having more than two but not more than five partners.	10 00
5. For a miner's licence or renewal thereof for a mining partnership having more than five partners.....	20 00
6. For a miner's licence or renewal thereof for a company where the capital authorized by letters patent or licence does not exceed \$40,000.	25 00
7. For a miner's licence or renewal thereof for a company where the capital authorized by letters patent or licence is over \$40,000 but does not exceed \$100,000.....	50 00
8. For a miner's licence or renewal thereof for a company where the capital authorized by letters patent or licence is over \$100,000 but does not exceed \$500,000.....	75 00

Schedule of Fees—Continued

9. For a miner's licence or renewal thereof for a company where the capital authorized by letters patent or licence is over \$500,000 but does not exceed \$1,000,000.....	100 00
10. For each additional \$1,000,000 or fraction thereof..... (Provided that in cases where the authorized capital of any such company is over \$1,000,000 and it is, by affidavit of the president or secretary thereof, proven to the satisfaction of the Minister or the Director that any part of such capital is actually being used in some other business enterprise and not in mining on Provincial lands, such part may be deducted in fixing the licence fees herein provided for).	100 00
11. Where the shares of a company have no par value the fee for a miner's licence or renewal thereof shall be based on the actual value of the shares at the time of the issue of the licence or renewal, as shown by affidavit of the president or secretary of the company, or as may be determined by the Minister, at the rate of \$100 for every \$1,000,000, but in no case shall the fee be less than.....	40 00
12. Whenever a miner's licence for a mining partnership or for a company is issued on or after the 1st March in any year, the fee shall be only one-half the amount above specified..	
13. For a substitutional miner's licence.....	1 00
14. For a special renewal licence under Section 65 to save forfeiture, twice the prescribed licence fee.	
15. For recording each claim, located by a licensee on his own licence.....	5 00
16. For recording each claim located by a licensee on behalf of another licensee.....	10 00
17. For recording extension of time of performance of work.....	2 00
18. For recording with the mining recorder a transfer, agreement of sale, option, power of attorney, revocation of a power of attorney, copy of a writ of execution, or any other instrument affecting any recorded claim, right or interest, for each claim.....	2 00
19. For a substitution record of entry.....	2 00
20. For recording a transfer of a share or shares in a mining partnership.....	2 00
21. For recording a certificate of revocation of agent and appointment of a new agent for a mining partnership.....	2 00
22. For recording a dispute, per claim.....	10 00
23. For recording order of Mining Board or of a Judge.....	2 00
24. For application for a certificate of work.....	2 50
25. For application for a certificate of improvements.....	2 50
26. For application for a lease of surface or mineral rights.....	10 00
27. For filing report of work under Section 66 to save forfeiture..	5 00
28. For filing application for certificate of improvements to save forfeiture under Section 66, per claim.....	5 00
29. For filing application for lease to save forfeiture, per claim..	15 00
30. For filing a certificate of mining partnership or certified copy thereof.....	2 00
31. For a grouping certificate.....	5 00
32. For certificate of record of a claim.....	2 50
33. For registration of an assignment of a lease.....	3 00
34. For copies or certified copies of any document or record obtained from any officer per folio of 100 words.....	30
35. For an abstract of the records of a claim, For first entry.....	25
For each additional entry.....	10

Schedule of Fees—Concluded

36. For an examination of the record book, per claim.....	10
37. For inspecting any document filed with a mining recorder....	10
38. Rental of a claim, for the first period of 21 years, per acre....	1 00
but in no case the charge shall be less than.....	5 00
39. Rental of excess area, for first period, per acre.....	5 00
40. Rental for renewal period, for period of 21 years, per acre.....	2 00
41. Rental of excess area for renewal period, per acre.....	10 00
42. Rental for surface lease, for each acre, per annum.....	50

More detailed information and copy of the Mines Act of Manitoba and regulations made thereunder, may be obtained on application to the Director, Mines Branch, Department of Mines and Natural Resources, Winnipeg, Manitoba.

SASKATCHEWAN

SASKATCHEWAN MINING LAWS

Thos. M. Molloy

(Deputy Minister, Department of Railways, Labour and Industries,
Regina, Sask.)

- I. On September 1st, 1930, the administration of the natural resources of the province of Saskatchewan passed from Dominion to Provincial control. The Dominion regulations for the leasing and disposal of mining lands and rights in force at the time of the transfer will continue to be effective until such time as the Provincial Government finds that it is necessary or expedient to draft new regulations. The Dominion Mining Laws and Regulations are synopsized elsewhere in this publication (see pp. 1-12). The Provincial regulations in force previous to the transfer have to do with working and living conditions and the general welfare of miners. The province also has regulations for the disposal of coal mining rights under road allowances. These regulations continue to be operative, and are summarized as follows:

II. **The Saskatchewan Mines Act**

Under the provisions of the Saskatchewan Mines Act a "mine" includes every shaft in the course of being sunk and any shaft-level and inclined plane of such mine.

Every mine in which 20 or more persons are ordinarily employed shall be under the daily supervision of a manager and pit boss.

A mine manager or pit boss must be the holder of a certificate obtained by examination.

Candidates for a mine manager's certificate must deposit with the Mine Inspector prior to examination a fee of \$15.00, and in the case of a pit boss a fee of \$5.00, and shall be examined as to practical experience and theoretical knowledge in the operation of mines.

The holders of a first-class certificate of competency as a mine manager, obtained in any part of His Majesty's Dominion or the United States, may apply for a certificate of competency under the Act.

Boys under the age of 14 and females of any age are not permitted to work or to be in the workings of a mine.

Injury by accident to persons employed in a mine must be reported within 24 hours of the happening.

Provision is made under the Act to inspect and make such examination and inquiry respecting the conditions and working of any mine as may be necessary to ascertain whether the provisions of the Act are being complied with.

The employees of any mine whose wages are regulated by weight of mineral recovered may at their own cost appoint a check-weigher.

The shafts and workings of a mine must be kept ventilated, not less than 100 cubic feet of pure air per minute being allowed each person.

Gunpowder or other inflammable substances shall be stored in a properly constructed magazine and shall not be stored in the mine, and only taken into a mine in a case or canister containing not more than 5 pounds.

No taxes, royalties, etc., on the mining output of the province are imposed under the Provincial Government's administration.

An amendment to the Act allows for the mining of coal under road allowances in Saskatchewan. An annual rental of \$5.00 is charged and a royalty of 5 cents per ton of 2,000 pounds on all coal mined under road allowances.

The Mining, Smelting, and Refining District Act

This is an Act to provide compensation for damage caused by mining, smelting, and refining operations.

The provisions of the Act are dealt with under four main sub-divisions.

Part One entitled "Mining, Smelting and Refining District" deals with the following provisions: creation of a district in northern Saskatchewan with descriptions of its boundaries; and no liability for damage occasioned by operations within the district.

Part Two entitled "Arbitration" deals with the appointment of an arbitrator, his jurisdiction, the time limit for giving notice of damage, investigation and assessment of the damage, effect of the award, and agreements of settlement.

Part Three entitled "Compensation without Arbitration" contains the following stipulations: the owner or operator of any mining, smelting, refining or other reducing works, or any person who contemplates acquiring or operating such works may make an agreement with the owner or lessee of any land situated outside of the district for payment of compensation; the effect and extent of the operation of the agreement are defined; registration must be made of the agreement; and the payment of compensation shall afford a complete answer to any such action for damages.

Part Four entitled "General" specifies that new regulations may be made for the better carrying out of this Act, and that it shall not alter or derogate the powers vested in the Government under the Mines Act and any amendments thereto.

III.

List of Acts

- (a) An Act respecting mines, short title "The Mines Act." Chapter 178, Revised Statutes of Saskatchewan, 1920. Assented to December 15, 1927.
- (b) An Amendment to the Mines Act dealing with mining rights under road allowances. Chapter 70 of Statutes of Saskatchewan, 1921-22. Assented to February 9, 1922.
- (c) Regulations governing Coal Mining Rights Under Road Allowances. Order in Council 710, 1922, dated April 16, 1922.
- (d) The Mining, Smelting, and Refining District, October 1929—being Bill No. 70. Assented to in 1929.

IV.

Royalties

A royalty of 5 cents per ton of 2,000 pounds on the merchantable coal mined under road allowances in Saskatchewan is payable to the Provincial Government.

V.

Bounties

None.

VI.

Schedule of Fees

For Mine Manager's Certificate of Competency.....	\$ 5 00
For Provisional 60 day Pit Boss Certificate.....	3 00
To sit for examination as Mine Manager.....	15 00
To sit for examination as Pit Boss.....	5 00
Application for authority to mine under a road allowance.....	5 00
Annual rental for a lease permitting mining under a road allowance.	5 00

More detailed information and copies of the Mining Laws and Regulations pertaining to the province of Saskatchewan, may be had on application to the Deputy Minister, Department of Railways, Labour and Industries, Regina, Sask.

ALBERTA

ALBERTA MINING LAWS

Andrew A. Millar

(Chief Inspector of Mines, The Mines Branch, Edmonton, Alberta)

- I. On September 1, 1930, the administration of the natural resources of the province of Alberta passed from Dominion to Provincial control. The Dominion regulations for the leasing and disposal of mining lands and rights in force at the time of the transfer will continue to be effective until such time as the Provincial Government finds that it is necessary or expedient to draft new regulations. The Dominion Mining Laws and Regulations are synopsized elsewhere in this publication (see pp. 1-12). The Provincial regulations in force previous to the transfer have to do with working and living conditions and the general welfare of miners. The province also has regulations for the disposal of coal mining rights under road allowances. These regulations continue to be operative, and are summarized as follows:—

II. **The Coal Mines Regulation Act and Regulations Made Thereunder**

The Act makes provision for the safe operation of mines in the province and applies to mines of coal, shale, clay, including any operations incidental to the extraction of same by removing the overlying strata.

It requires that operations must be under the control of certificated officials and provides that rules be made for the conduct of examinations for certificates.

Provision is made that reports of operations must be forwarded monthly by each operator to the Minister on forms provided by the Minister.

Provision is made for the appointment of a Chief Inspector and District Inspector for the inspection of mines.

Power is given the Lieutenant-Governor in Council to make regulations, rules, and orders, for the better carrying out of the provisions of the Act; also as to the installation of electricity in mines; the leasing of coal mining rights under road allowances; and rock-dusting in dry and dusty mines in the province.

The Coal Miner's Wages Security Act

This is an Act to better secure the payment of wages to miners.

Every mine owner must, on the 15th day of May in each year, deliver to the Minister an annual statement of the total amount of the wages paid. He may be required to deliver a statement of assets and liabilities.

On or before the first day of June the mine owner must furnish a bond or other security in an amount equal to the greatest amount paid for wages in one month during the previous twelve (12) months. This security may be reduced in case of operations having been intermittent. Penalties are provided for if the provisions of the Bill are not lived up to.

The Board of Public Utility Commissioners may on demand, issue a certificate exempting the mine owner for a certain period from furnishing the necessary security, when satisfied that the mine owner has such resources to make assured the due payment of the wages of all coal miners employed by him.

The Boilers Act

Provides for the registration and periodical inspection of all boilers in use throughout the province; also sets out a standard for construction and operation of all boilers, and requires that all steam boiler plants must be under the charge of certificated steam engineers.

The Workmen's Compensation Act (Accident Fund)

The Act makes provision for compensation to be paid to workmen for accidents arising out of, and in the course of, their employment.

The Act is administered by a Board of Commissioners appointed by the Lieutenant-Governor in Council and such Board is a body corporate.

Provision is made for the collection of a fund for the purposes of the Act and to cover the cost of administration by the Board making an assessment from time to time as they think expedient, and of such amount as they may consider necessary, on each employer for the period which has elapsed since the next proceeding assessment was made.

The assessment is based on the total payroll, except where the payroll includes wages or salary of workmen who have been paid at a higher rate than \$2,000 per year, such excess amounts shall be deducted from the total payroll for the year, the assessment being based on the net payroll after such deductions have been made.

Every employer is required to forward a statement, on or before the 20th of January each year and at such times as the Board may require, showing the total amount of wages earned by all his workmen during the previous calendar year. The Board

has the right to have the books of any or all employers audited as to the payroll, when adjustments are made as to assessments paid.

The Coal Sales Act

Requires that all operators of coal mines shall register with the Provincial Secretary a name for the coal taken from their mines; also that no coal shall be sold or shipped except under the registered name.

Makes provision that every dealer, whether wholesale or retail, selling coal produced in Alberta shall state upon every bill, weigh-ticket, or invoice covering sales, the name of the mine, the district, and the name and size of grade of coal.

Penalties are provided for non-observance of the Regulations.

The Corporation Taxation Act

Section 18 requires that every company (other than a municipal corporation) which transacts business in the province and which is not specifically mentioned in the Act shall pay a tax of 40 cents for every \$1,000 of its authorized capital, with the provision that this annual tax shall not exceed the sum of \$500.

This section does not apply to an individual, a partnership, nor an unincorporated syndicate or trust.

III.

List of Acts

The Coal Mines Regulations Act—New Act assented to April 3, 1930, being Chapter 190 of the Revised Statutes of Alberta, 1922, with amendments up to and including 1930.

The Coal Miner's Wages Security Act.

The Boilers Act—Being Chapter 191 of the Revised Statutes of Alberta, 1922, with amendments to 1928.

The Workmen's Compensation Act (Accident Fund)—Being Chapter 177 of the Statutes of Alberta, 1922, with amendments to 1928.

The Coal Sales Act.

The Corporation Taxation Act.

IV.

Royalties

Royalty of 5 cents per ton of 2,000 pounds on all merchantable coal mined from under the road allowances.

V.

Bounties

None.

VI.

Schedule of Fees

First Class or Mine Manager's examination.....	\$ 10 00
First Class or Mine Manager's Interchange examination.....	25 00
Second Class or Overman's examination.....	8 00
Second Class or Overman's Interchange examination.....	20 00
Third Class or Examiner's examination.....	5 00
Third Class or Examiner's Interchange examination.....	15 00
Mine Surveyor's examination.....	8 00
Miner's certificates of Competency, examination.....	1 00
Provisional certificate for overman.....	5 00

The first four classes are charged an additional \$5.00 for their certificates if they pass the examination.

Rental leases of coal mining rights under road allowances payable annually in advance \$5.00 each.

More detailed information and copies of the Mining Laws and Regulations for Alberta may be had on application to the Chief Inspector of Mines, The Mines Branch, Edmonton, Alberta.

BRITISH COLUMBIA

BRITISH COLUMBIA MINING LAWS

J. D. Galloway

(Provincial Mineralogist, British Columbia, Department of Mines.)

- I. The mining laws of British Columbia are very liberal in their nature and compare favourably with those in any other part of the world. The terms under which both lode and placer claims are held are such that a prospector is greatly encouraged in his work, and the titles, especially for mineral claims and hydraulic leases, are perfect. The fees required to be paid are as small as possible, consistent with a proper administration of the mining industry, and are generally lower than those of the other provinces of Canada. Provision is also made for the formation of mining partnerships practically without expense, and a party of miners is enabled to take advantage of these sections of the Acts and work their claims together, without the trouble or expense of forming a joint stock company.

It will be found on reference to most of the Australian colonies and Natal that the rentals for hydraulic leases are, in most instances, eight times as much as in this province, while the areas permitted are generally much smaller. The period for which leases are granted is practically the same. On a lode mine of 51 acres the expenditure of \$500 in work, which may be spread over five years, is required to obtain a Crown grant, and surface rights are obtainable at a small figure, in no case exceeding \$5.00 per acre.

The following synopsis of the mining laws will be found sufficient to enable the miner or intending investor to obtain a general knowledge of their scope and requirements; for particulars, however, the reader is referred to the complete Mining Acts, which may be obtained from any Mining Recorder, or from the King's Printer, Victoria, B.C.

II. Free Miners' Certificates

Any person over the age of 18, and any joint stock company, may obtain a Free Miner's Certificate on payment of the required fee.

The fee to an individual for a Free Miner's Certificate is \$5.00 for one year. To a joint stock company having a capital of \$100,000, or less, the fee for a year is \$50.00; if capitalized beyond this, the fee is \$100.

The Free Miners' Certificates all expire at midnight on May 31st in each year. Certificates may be obtained for any part of a year, terminating on May 31st, for a proportionately less fee.

The possession of this certificate entitles the holder to enter upon all lands of the Crown, or upon any other lands on which the right to so enter is not specially reserved, and to prospect for minerals, locate claims, and mine.

A free miner can only hold, by location, one mineral claim on the same vein or lode, but may acquire others by purchase. In the case of placer claims, only one claim can be held by location on each creek, ravine, or hill, and not more than two in the same locality, only one of which shall be a "creek" claim.

In the event of a free miner allowing his certificate to lapse, his mining property (if not Crown-granted) reverts to the Crown, but where other free miners are interested as partners or co-owners the interest of the defaulter becomes vested in the continuing co-owners or partners *pro rata*, according to their interests.

It is not necessary for a shareholder, as such, in an incorporated mining company to be the holder of a Free Miner's Certificate.

Mineral Claims

Mineral claims are located and held under the provisions of the "Mineral Act."

A mineral claim is a rectangular piece of ground not exceeding 1,500 feet square. The angles must be all right angles unless the boundaries, or one of them, are the same as those of a previously recorded claim.

No special privileges are allowed for the discovery of new mineral claims or districts.

A mineral claim is located by erecting three "legal posts," which are stakes having a height of not less than 4 feet above ground and squared 4 inches at least on each face for not less than a foot from the top. A tree-stump so cut and squared also constitutes a legal post.

The "discovery post" is placed at the point where the mineral in place is discovered.

Nos. 1 and 2 posts are placed as near as possible on the line of the ledge or vein, shown by the discovery post, and mark the boundaries of the claim. Upon each of these three posts must be written the name of the claim, the name of the locator, and the date of location. On No. 1 post, in addition, the following must be written: "Initial post. Direction of Post No. 2 [*giving approximate compass bearing*]-—feet of this claim lie on the right and—feet on the left of the line from No. 1 to No. 2 posts."

The location-line between Nos. 1 and 2 posts must be distinctly marked—in a timbered locality by blazing trees and cutting underbrush, and in bare country by monuments of earth or rock not less than 2 feet in diameter at the base, and at least 2 feet high—so that the line can be distinctly seen.

Mineral claims must be recorded in the Mining Recorder's office for the mining division in which they are situate within 15 days from the date of location, one day extra being allowed for each 10 miles of distance from the recording office after the first 10 miles. If a claim is not recorded in time it is deemed abandoned and open for relocation, but if the original locator wishes to relocate he can only do so by permission of the Gold Commissioner of the district and upon the payment of a fee of \$10.00. This applies also to a claim abandoned for any reason whatever.

Mineral claims are, until the Crown grant is issued, held practically on a yearly lease, a condition of which is that during such year assessment work be performed on the same to the value of at least \$100, or a payment of such sum be made to the Mining Recorder. Such assessments must be recorded before the expiration of the year, or the claim is deemed abandoned. If, however, the required assessment work has been performed within the year, but not recorded within that time, a free miner may, within 30 days thereafter, record such assessment work upon payment of an additional fee of \$10.00. The actual cost of the survey of a mineral claim, to an amount not exceeding \$100, may also be recorded as assessment work. If, during any year, work is done to a greater extent than the required \$100, any further sum of \$100—but not less—may be recorded and counted as further assessments; such excess work must be recorded during the year in which it is performed. As soon as assessment work to the extent of \$500 is recorded and a survey made of the claim, the owner of a mineral claim is entitled to a Crown grant on payment of a fee of \$25.00 and giving the necessary notices required by the Act. Liberal provisions are also made in the Act for obtaining mill-sites and other facilities in the way of tunnels and drains for the better working of claims.

Placer Claims

Placer-mining is governed by the "Placer-mining Act," and by the interpretation clause its scope is defined as "the mining of any natural stratum or bed of earth, gravel, or cement mined for gold or other precious minerals or stones." Placer claims are of four classes, as follows:—

- " 'Creek diggings' ; any mine in the bed of any stream or ravine:
- " 'Bar diggings' ; any mine between high- and low-water marks on a river, lake, or other large body of water:

“ ‘Dry diggings’ ; any mine over which water never extends:

“ ‘Precious-stone diggings’ ; any deposit of precious stones, whether in veins, beds, or gravel deposits.”

The following provisions as to extent of the various classes of claims are made by the Act:—

“ In ‘creek diggings’ a claim shall be 250 feet long, measured in the direction of the general course of the stream, and shall extend in width 1,000 feet, measured from the general course of the stream 500 feet on either side of the centre thereof:

“ In ‘bar diggings’ a claim shall be:—

“(a) A piece of land not exceeding 250 feet square on any bar which is covered at high water; or

“(b) A strip of land 250 feet long at high-water mark, and in width extending from high-water mark to extreme low-water mark:

“ In ‘dry diggings’ a claim shall be 250 feet square.”

The following provision is made for new discoveries of placer-mining ground:—

“If any free miner, or party of free miners, discovers a new locality for the prosecution of placer-mining and such discovery be established to the satisfaction of the Gold Commissioner, placer claims of the following sizes shall be allowed to such discoveries, viz.:—

“To one discoverer, one claim.....
600 feet in length;

“To a party of two discoverers, two claims amounting together to.....1,000 feet in length;

“And to each member of a party beyond two in number, a claim of the ordinary size only.

“The width of such claims shall be the same as ordinary placer claims of the same class: Provided that where a discovery claim has been established in any locality no further discovery shall be allowed within five miles therefrom, measured along the watercourses.”

Every placer claim shall be as nearly as possible rectangular in form, and marked by four legal posts at the corners thereof, firmly fixed in the ground. On each of such posts shall be written the name of the locator, the number and date of issue of his Free Miner's Certificate, the date of the location, and the name given to the claim. In timbered localities boundary-lines of a placer claim shall be blazed so that the posts can be distinctly seen, underbrush cut, and the locator shall also erect legal posts not more than 125 feet apart on all boundary-lines. In localities where there is no timber or underbrush, monuments

of earth and rock, not less than 2 feet high and 2 feet in diameter at base, may be erected in lieu of the last-mentioned legal posts, but not in the case of the four legal posts marking the corners of the claim.

A placer claim must be recorded in the office of the Mining Recorder for the mining division within which the same is situated, within 15 days after the location thereof, if located within 10 miles of the office of the Mining Recorder by the most direct means of travel. One additional day shall be allowed for every 10 miles additional or fraction thereof. The number of days shall be counted inclusive of the days upon which such location was made, but exclusive of the day of application for record. The application for such record shall be under oath and in the form set out in the Schedule to the Act. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned.

To hold a placer claim for more than one year it must be re-recorded before the expiration of the record or re-record.

A placer claim must be worked by the owner, or someone on his behalf, continuously, as far as practicable, during working-hours. If work is discontinued for a period of 72 hours, except during the close season, lay-over, leave of absence, sickness, or for some other reason to the satisfaction of the Gold Commissioner, the claim is deemed abandoned.

Lay-overs are declared by the Gold Commissioner upon proof being given to him that the supply of water is insufficient to work the claim. Under similar circumstances he has also the power to declare a close season, by a notice in writing and published in the Gazette, for all or any claims in his district. Tunnel and drain licences are also granted by him on the person applying giving security for any damage that may arise. Grants of right-of-way for the construction of tunnels or drains across other claims are also granted on payment of a fee of \$25, the owner of the claims crossed having the right for tolls, etc., on the tunnel or drain which may be constructed. These tolls, however, are, so far as the amount goes, under the discretion of the Gold Commissioner.

Co-owners and Partnerships

In both the "Mineral" and "Placer-mining" Acts provision is made for the formation of mining partnerships, both of a general and limited liability character. These are extensively taken advantage of and have proved very satisfactory in their working. Should a co-owner fail or refuse to contribute his proportion of the expenditure required as assessment work on a claim he may be "advertised out," and his interest in the claim shall become vested in his co-owners who have made the required expenditure, *pro rata* according to their former interests.

It should not be forgotten that if any co-owner permit his Free Miner's Certificate to lapse, the title of his associates is not prejudiced, but his interest reverts to the remaining co-owners.

Leases

Leases of unoccupied Crown lands may be granted by the Gold Commissioner of the district, after location has been made by placing a legal post at each corner of the ground applied for.

On the post nearest the placer-ground then being worked the locator must post a notice stating the name of the applicant, the location of the ground to be acquired, the quantity of ground, and the term for which the lease is to be applied for. Within 30 days an application, in duplicate, with a plan of the ground on the back, must be made in writing to the Gold Commissioner, and the application must contain the name of each applicant, the number of each applicant's Free Miner's Certificate, the locality of the ground, the quantity of ground, the terms of the lease desired, and the rent proposed to be paid. A sum of \$20.00 must accompany the application which is returned if the application is not granted. The term of leases must not exceed 20 years. The extent of ground covered by leases must not be in excess of the following: creek leases, on creek or river, half a mile; bench leases, 80 acres; for dredging leases, 5 miles; precious-stone diggings, 10 acres.

Under the "Placer-mining Act" the annual rental and amount to be expended annually on development work on all leases issued after July 1st, 1920, is as follows:—

Bench lease, annual rental, \$25.00; annual development work, \$250.

Creek lease, annual rental, \$37.50; annual development work, \$250.

Dredging lease, annual rental per mile, \$25.00; annual development work per mile, \$1,000.

Provision is made for reduction of rental and development expenditure on leases issued prior to that date.

Any lease issued under the "Placer-mining Act" prior to July 1st, 1920, in which the rentals and development requirements are higher, such lease, if in good standing, may, by application to the Gold Commissioner, be brought under the existing terms and conditions. On the written application of the holders of consolidated leases, provision is made for the Gold Commissioner to fix a uniform date on which in each year the rentals on all the leases shall be paid.

It is further provided that all development work must be recorded with the Mining Recorder during the current year, similarly as is done with a mineral claim, and in default of such record being made the lease becomes automatically forfeited.

Leases may be "grouped" and annual development work performed on one or more of the leases for the whole group. Excess work may be recorded three years in advance. Payment in cash of like amount to the development requirements may be made in lieu of such development work.

For more detailed information the reader is referred to the complete "Placer-mining Act," which may be obtained from the King's Printer, Victoria, B.C.

Mines Development Act

When it is shown to the satisfaction of the Minister of Mines that ore-bodies exist in quantity and of commercial value sufficient to warrant the expenditure of public moneys, the Minister of Mines may authorize the expenditure of so much of the public money as may be required for the construction of trails, roads, and bridges to facilitate the operation and development of such mineral or placer claims.

Furthermore, the Minister of Mines may authorize the expenditure of public money towards the building of trails and bridges in or to any mineral district for the purpose of facilitating the exploration of the mineral resources of the district, such expenditure not to exceed 50 per cent of the cost of construction. If such roads, trails, or bridges have been built by any person or company having mining interests in the district, the Minister of Mines may refund to such persons a portion, not exceeding 50 per cent of the cost of such construction.

The sum of \$200,000 was appropriated for the purposes of this Act.

Mineral Survey and Development Act, 1929

PART I.—MINERAL SURVEY

A mineral survey of the province has been established, to be carried on continuously and records thereof kept.

For this purpose the province has been divided into six Mineral Survey Districts, to each of which districts a Resident Mining Engineer, with such assistants as necessary, has been appointed, who shall devote his whole time to the carrying-out of the provisions of this Act and shall report to the Minister of Mines.

PART II.—AID TO PROSPECTORS

The Resident Engineer in each district shall aid the prospectors, etc., therein by such advice, information, and directions as may be of assistance to them; by examining and testing samples of mineral and advising as to the same; by reporting as to such trails, roads, and bridges as may be desirable for the development of the mineral resources, with the approximate costs thereof.

The Minister of Mines may acquire and maintain Keystone and other placer-mining drills, and may supply or let the same for use in drilling and boring in placer-mining or alluvial ground on such terms and conditions as the Minister may think proper.

The Minister may provide from time to time at suitable places short courses of instruction in practical geology and mineralogy.

PART III.—PROTECTION OF WAGE-EARNERS

1. Every person giving or making a working bond or a lease, with or without any option for sale, of any mining property shall insert therein a provision that during the currency of the bond or lease all free miners and wage-earners employed on or about the mining property shall be paid their wages semi-monthly, and shall demand and receive a letter, to be procured by the holder of the bond or lease from a Gold Commissioner, or Government Agent, or Mining Recorder, stating that security for such wages has been given pursuant to this section, otherwise the person giving or making the bond or lease shall be under personal liability to pay all such wages.

2. Every person taking a right or option to work or purchase any mining property shall furnish to the nearest Gold Commissioner, or Government Agent, or Mining Recorder adequate security from time to time for the payment semi-monthly of the wages of all free miners and wage-earners employed on or about the mining property, on the terms that every such security shall be forthwith realized and payment of wages made upon any default; and every Gold Commissioner, Government Agent, and Mining Recorder shall have full power and authority to realize upon the security lodged with him so as to make payment of any wages in default, and shall make payment thereof up to the amount realized.

PART IV.—PROTECTION OF INVESTORS

Each Resident Engineer shall, upon receiving notice of any advertised or solicited sale of shares in any company or in any claim or mine or mineral property whatsoever, upon statements or terms not in accordance with actual facts and conditions, notify the Minister of Mines, who, upon investigation, may, if found necessary, give such notice, either personal or public, as may be necessary to prevent any injury to investors; and every notice given under this section by the Minister of Mines shall be absolutely privileged.

Iron and Steel Bounties Act, 1929

The Lieutenant-Governor in Council may enter into an agreement with any person whereby the Crown will pay to that

person, out of the Consolidated Revenue Fund, bounties on pig iron and steel shapes when manufactured within the province, as follows:—

- (a) In respect of pig iron manufactured from ore, on the proportion produced from ore mined in the province, a bounty not to exceed \$3.00 per ton of 2,000 pounds;
- (b) In respect of pig iron manufactured from ore, on the proportion produced from ore mined outside the province, a bounty not to exceed \$1.50 per ton of 2,000 pounds;
- (c) In respect of steel shapes of commercial utility manufactured in the province, a bounty not to exceed \$1.00 per ton of 2,000 pounds.

Bounty, as on pig iron under this Act, may be paid upon the molten iron from ore which in the electric furnace, Bessemer or other furnace, enters into the manufacture of steel by the process employed in such furnace; the weight of such iron to be ascertained from the weight of the steel so manufactured.

Bounty on steel shapes under this Act shall be paid only upon such steel shapes as are manufactured in a rolling-mill having a rated productive capacity per annum of at least 20,000 tons of 2,000 pounds per ton.

Phosphate-mining Act, 1925

This Act takes the mineral tricalcium phosphate out of the "Mineral Act" for the purpose of administration. This is done to make possible the staking of phosphate claims one mile square in area.

Any person desirous of securing a licence to prospect for phosphate is required to stake the land he may wish to acquire and work; and after such staking shall post in the office of the Gold Commissioner for the mining division in which the land is situated a notice of his intention to apply for a licence. Then the applicant is required to make application in writing to such Gold Commissioner for a prospecting licence over the land for any term not exceeding one year. The Gold Commissioner shall forward this application to the Hon. the Minister of Mines, who may grant to the applicant a prospecting licence. Application shall be accompanied by a licence fee of \$100. The land to be acquired shall be of a rectangular shape and shall not exceed 640 acres for each licence, measuring 80 chains by 80 chains, and boundary-lines shall be run true north and south and true east and west. A renewal of the licence may be obtained for a second period of one year upon payment of further licence fee of \$100, and furnishing proof that he has explored for phosphate and has expended not less than \$50.00 in such exploration work. An extension of the term for a third period of one year may be granted

upon like conditions and terms. Provision is made for the payment of \$150 in cash in lieu of exploration work. The cost of the survey of the land, not being less than \$150, can be counted as exploration work. If during any one year work is done to a greater extent than the required \$50—but not less—same may be applied as work for any subsequent year that the licence remains in force.

The Lieutenant-Governor in Council may grant a lease of the land covered by a prospecting licence to any licensee who during the existence of his licence, or within 30 days following the expiry of same, gives satisfactory evidence that he has discovered phosphate on such lands. He shall at the same time pay a sum sufficient to cover the first annual rental and also shall have expended not less than \$50.00 per licence in exploration work during the term of the last renewal licence or tender in lieu thereof the sum of \$50.00 per licence. Such lease shall be granted for a term of 5 years, renewable for 3 years, and for a further 3 years after the expiry of the first renewal. A lease shall not be issued until the land has been surveyed by an authorized land surveyor. An annual rental rate of 15 cents per acre shall be payable under said lease, and a royalty of 10 cents per ton of phosphate rock is also charged.

The lease provides for the expenditure of not less than \$100 per annum in the development of a mine, or the payment of \$100 in lieu of such development work. Excess work done in any one year may be applied as work to subsequent years. Provision is also made for the purchase of phosphate-mining rights.

Quarries Regulation Act, 1929

This Act provides that any Inspector appointed under the "Metalliferous Mines Regulation Act" or under the "Coal-mines Regulation Act" shall, from time to time as occasion may require or as the Minister of Mines may direct, inspect any quarry within the province, and shall report to the Minister respecting the state and condition of the quarry, the safety of the persons employed in or about the quarry, and the observance therein of the provisions of the regulations.

SUMMARY OF ACTS SPECIALLY RELATING TO MINING

Coal and Petroleum Prospecting Licences

Any person desiring to prospect for coal, petroleum, or natural gas upon any unreserved lands held by the Crown may acquire a licence to do so over a rectangular block of land not exceeding 640 acres, of which the boundaries shall run due north and south and east and west, and no side shall exceed 80 chains (one mile) in length. Before entering into possession of the said land he shall place at the corner of such block a legal stake, or

initial post, and shall inscribe thereon his name and the angle represented by such post, thus: "A. B.'s N.E. corner," or as the case may be, and shall keep posted for 30 days in a conspicuous place upon the said land, and also in the Government office of the district, as well as publishing it in the British Columbia Gazette and in a local newspaper for a like period, a notice of his intention to apply for such prospecting licence.

The application for said licence shall be in writing, in duplicate, and shall contain the best written description possible, with a diagram of the land sought to be acquired, and shall be accompanied with a fee of \$100. The application shall be made to the Commissioner of Lands for the district, and by him forwarded to the Minister of Lands, who shall grant such licence—provided no valid protest is substantiated—for a period not to exceed one year, and at the expiration of the first year an extension of such licence may be granted for a second or third year.

Should the licensee discover coal, petroleum, or natural gas upon such land during the period of his licence, and produce satisfactory evidence, under oath, of the fact, he may obtain from the Lieutenant-Governor in Council, after having had the land properly surveyed, a lease of the said block for a term of 5 years, at an annual rental of 15 cents an acre, and such lease may be renewed for a further period of 3 years, upon the payment of a renewal fee of \$100, for each parcel of 640 acres of land; and if during the term of such lease, or within three months thereafter, he can show conclusively that he has continuously and vigorously prosecuted the work of coal or petroleum mining, and has fully carried out the terms of such lease, he shall be entitled to purchase the said lands, including the coal, petroleum, or natural gas thereunder, at the rate of \$20.00 an acre, or in the event of the surface rights having been alienated from the Government, he can purchase the coal, petroleum, or natural gas underlying such lands at the rate of \$15 an acre: provided also that, in addition to the rental or purchase price, there shall be paid to the Government as a royalty $2\frac{1}{2}$ cents a barrel (35 Imperial gallons) of crude petroleum raised or gotten from such land. (See Chapter 162, R.S.B.C., 1924.)

Taxation Act

A preliminary note is essential to the understanding of this Act. As the law has stood, a Crown-granted mineral claim on which taxes were in arrears for a number of years was offered for sale by the Government at a *tax* sale, with arrears of taxes plus interest and charges and Crown-grant fees as an upset price. If no sale was made the property remained in the hands of the Assessor until desired by some one, when it could only be purchased by tender. It was not open to location under the "Mineral Act" and a prospector had no protection, and to relieve the situation an amending Act was passed.

Under the amended Act such reverted Crown-granted mineral claim may be obtained by any person under a lease for one year upon payment of \$25.00, and a renewal of such lease may be granted upon payment of further \$25.00 for a further period of one year, but no longer. During the period of such lease the lessee has the right to enter, prospect, and mine on such mineral claim, save for coal and petroleum, and during such time the lessee has the option to purchase such Crown-granted mineral claim upon payment of all taxes, costs, and interest which remained due and unpaid on such claim on the date of its forfeiture to the Crown, together with an amount equal to all taxes and interest which, except for its forfeiture to the Crown, would have been payable in respect thereof from the date of the lease to the date of application for a Crown grant.

A person may only obtain a lease, or any interest in a lease, of two such claims in the same mining division.

Such leases are not transferable and are subject to the rights any person may already hold to any portion of the surface of such Crown-granted mineral claim.

Taxation of Mines

Crown-granted mineral claims are subject to a tax of 25 cents per acre. The tax becomes due on March 31st in each year, and if unpaid on the following June 30th is deemed to be delinquent.

In lieu of the said tax, however, the owner of a mineral claim may, on or before February 28th in the year in which the assessment is made, file an affidavit establishing to the satisfaction of the Assessor that the sum of \$200 has been expended upon the mineral claim in mining and development work during the calendar year preceding the year in which the assessment is made.

The mineral-tax is a tax of 2 per cent, levied quarterly on all ores and other mineral substances mined in the province, based on the gross value of such ore less freight and treatment but where ore-producing mines produce under \$5,000 in a year the whole tax is refunded. Such mines are also taxable on the income earned from the mine or claim if such tax exceeds the 2-per-cent mineral-tax.

Should the tax on income prove the greater, then the mineral-tax already levied during the period corresponding with the period in which the income was earned is counted as part payment of the income-tax and only the difference is collected.

These taxes are in substitution for all taxes on the land from which the ore is mined and upon land used for the purpose of operating a mill, where the taxpayer is the owner of both mine and mill, and for taxes upon the personal property used in the working of the mine, so long as the land is used only for mining purposes. This exemption, however, does not apply to taxes levied under the provisions of the "Public Schools Act."

An amendment to the "Taxation Act" came into effect as from April 1st, 1928, whereby depletion or expired capital cost of a mine, in relation to the ore mined or shipped from which the income is derived, is allowed as a deduction in computing taxable income. Full details of this allowance are set forth in the "Taxation Act Amendment Act, 1928," Chapter 47, Section 6.

For further particulars see the "Taxation Act," also the "Public Schools Act," which are obtainable from the King's Printer.

III.

List of Mining Acts

Coal and Petroleum Act, Chap. 162, R.S.B.C., 1924.
 Coal Mines Regulation Act, 1924, and Amendment to Feb. 20, 1929.
 Mineral Act, 1924, Chap. 167, R.S.B.C., 1924.
 Mines Development Act, Chap. 142, R.S.B.C., 1924.
 Metalliferous Mines Regulation Act, Chap. 172, R.S.B.C., 1924.
 Placer Mining Act, 1924, Chap. 169, R.S.B.C., 1924.
 Quarries Regulation Act, 1929.
 Iron Ore Deposits Agreement Ratification Act, Chap. 36, Statutes, 1922.
 Iron Ore Supply Act, Chap. 165, R.S.B.C., 1924.
 Iron Placer Act, Chap. 166, R.S.B.C., 1924.
 Iron and Steel Bounties Act, 1929.
 Phosphate-Mining Act, Chap. 29, Statutes, 1925.
 Bureau of Mines Act, Chap. 161, R.S.B.C., 1924.
 Department of Mines Act, Chap. 163, R.S.B.C., 1924.
 Ore-Purchasing and Treatment Act, Chap. 168, Statutes, 1917.
 Mines Right-of-Way Act, Chap. 170, R.S.B.C., 1924.
 Mineral Survey and Development Act, 1929.
 Taxation Act, Consolidated to August 15, 1928.

IV.

Royalties

Petroleum. Royalty of 2½ cents a barrel (35 Imperial gallons) of crude petroleum.

V.

Bounties

Pig Iron. A bounty not to exceed \$3.00 per short ton on the proportion of pig iron produced from ore mined in the province.

A bounty not to exceed \$1.50 per short ton on the proportion of pig iron produced from ore mined outside the province.

Steel Shapes. A bounty not to exceed \$1.00 per short ton on steel shapes of commercial utility manufactured in the province. (See Iron and Steel Bounties Act, 1929).

VI.

Schedule of Fees

Individual Free Miner's Certificate, annual fee.....	\$ 5 00
Company Free Miner's Certificate (capital \$100,000 or less), annual fee.....	50 00
Company Free Miner's Certificate (capital over \$100,000), annual fee.....	100 00
Recording mineral or placer claim.....	2 50
Recording certificate of work, mineral claim.....	2 50
Re-record of placer claim.....	2 50
Recording lay-over.....	2 50
Recording abandonment, mineral claim.....	10 00
Recording abandonment, placer claim.....	2 50
Recording any affidavit under three folios.....	2 50
Per folio over three, in addition.....	30
Records in "Records of Conveyances," same as affidavits. Filing documents.....	1 00
For Crown grant of mineral rights under "Mineral Act".....	25 00
For Crown grant of surface rights of mineral claim under "Mineral Act".....	10 00
For every lease under "Placer-Mining Act".....	5 00

More detailed information and copies of the Mining Laws of British Columbia may be obtained on application to the Deputy Minister of Mines, British Columbia Dept. of Mines, Victoria, B.C.

ROYALTIES LEVIED IN CANADA—ARRANGED
BY PRODUCT

Alkali

- Dominion Lands.... 25 per cents per ton shipping weight.
 12½ per cent of selling value when royalty ex-
 ceeds that percentage.
 2 cents per gallon when product is shipped in
 solution.

Carbon-black

- Dominion Lands.... 5 per cent of value of gas at well.

Copper

- Dominion Lands.... 3 per cent upon annual profits, and up.
 (See "Quartz Mining").
 Nova Scotia..... 4 cents per unit, in each ton of copper ore sold
 or smelted.

Coal

- Dominion Lands.... 5 cents per short ton.
 Indian Lands..... 12 cents per short ton.
 Nova Scotia..... 12½ cents per long ton for coal used in manu-
 facture of coke or other manufactured fuel.
 New Brunswick.... As fixed by Lieut.-Governor in Council but not to
 exceed 15 cents a long ton. Present rate 10
 cents a long ton.
 Saskatchewan. 5 cents per short ton.
 Alberta. 5 cents per short ton.

Iron

- Dominion Lands.... 3 per cent upon annual profits, and up.
 (See "Quartz Mining").
 Nova Scotia..... 5 cents on every long ton of ore sold or smelted.

Lead

- Dominion Lands.... 3 per cent upon annual profits, and up.
 (See "Quartz Mining").
 Nova Scotia..... 2 cents per unit.

Petroleum and Natural Gas

- Dominion Lands.... May be charged, varying from 2½ to 10 per cent
 of value of product.
 Indian Lands..... 10 per cent of the value of the output.
 New Brunswick.... 5 per cent of the value at the well's mouth.
 British Columbia... 2½ cents a barrel (35 Imperial gallons) of crude
 petroleum.

Placer

- Dominion Lands.... 2½ per cent on gold shipped from Yukon terri-
 tory.

Zinc

- Dominion Lands.... 3 per cent upon annual profits, and up.
 (See "Quartz Mining").
 Nova Scotia..... 2 cents per unit.

ROYALTIES LEVIED IN CANADA—ARRANGED
BY PRODUCT—*Concluded*

Other Minerals

- Dominion Lands.... 3 per cent upon annual profits in excess of \$10,000 to \$100,000.
5 per cent upon annual profits in excess of \$100,000 to \$5,000,000.
6 per cent upon annual profits in excess of \$5,000,000 to \$10,000,000.
1 per cent proportional increase in excess of \$10,000,000 for each additional \$5,000,000.
- Nova Scotia..... 5 per cent of their value (except for coal, copper, iron, lead, and zinc). Minister may substitute same rate as applied to Dominion Lands.
- New Brunswick.... Subject to such royalty as may from time to time be imposed (except for coal, oil shale, petroleum and natural gas).

BOUNTIES PAID IN CANADA—ARRANGED
BY PRODUCT

Copper

- Federal. $\frac{1}{2}$ cent per pound on copper bars or rods manufactured in Canada and sold for consumption therein, from copper produced in Canada from ore mined in Canada. (To expire June 30, 1931).

Iron Ore

- Quebec. A premium at the rate of $\frac{1}{4}$ of 1 cent for each unit of iron metal contained in every ton of iron ore.
- Ontario. A bounty of 1 cent per unit of metallic iron in the long ton of low-grade iron ore beneficiated in Ontario so as to be suitable for use in the blast furnace, or on natural ore of commercial quality smelted in Canada.
- British Columbia... *Pig iron*: A bounty not to exceed \$3.00 per short ton on the proportion of pig iron produced from ore mined in the province.
A bounty not to exceed \$1.50 per short ton on the proportion of pig iron produced from ore mined outside the province.
Steel-shapes: A bounty not to exceed \$1.00 per short ton on steel shapes of commercial utility manufactured in the province.

Radium

- Ontario. The Radium Act offers a reward of \$25,000 for the discovery of radium in commercial quantity in Ontario.

TN CANADA. Mines Branch.
26 The mining laws of Canada;
E5f a digest of Dominions and
no.713 provincial laws affecting
1931 mining.
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