

THE MINING LAWS OF ONTARIO.

Summary of An Act in Which There Are
222 Sections.

By T. W. Gibson, Deputy Minister of Mines.

In view of the criticisms of the Mining Laws of the Province of Ontario, the following précis has been written for "The Monetary Times" by Mr. T. W. Gibson, Deputy Minister of Mines, at the request of the Minister, the Hon. Frank Cochrane:—

"The Mining Laws of Ontario were remodelled at the last session of the Legislature, and the following is a synopsis of the New Act, officially known as The Mines Act, 1906, so far as concerns the taking up of mining lands the property of the Crown.

"In order to acquire mining lands the property of the Crown two essentials are requisite: (1) A Miner's License, which costs \$10 per annum; (2) discovery of valuable mineral in place. The holder of a Miner's License is entitled to prospect for minerals on all lands save those included in Forest Reserves; in the latter case a special permit is required.

"Lands which have been sold or located for agricultural purposes since 4th May, 1891, since which time the mines and minerals on said lands have been reserved to the Crown, may also be prospected by the holder of a Miner's License.

"Applicants for mineral claims on lands, the surface rights of which have been granted or located, must compensate the holders of the surface rights for damages done thereto before patent can issue.

What a Discoverer Must Do.

"Lands covered by timber license may be prospected for mineral, and if discovery is made may be staked out as mineral claims. The applicant is not authorized to begin mining operations without procuring the consent of the Department after communication with the holder of the timber license.

"The Act provides for the division of the Province into mining divisions with a Recorder in each division. Where there is not sufficient prospecting to warrant the establishment of a local office, applications are made to the Department at Toronto.

"On discovery of valuable mineral in place on unlocated lands the licensee is required to stake out a claim. The size of a claim, except in special mining divisions is 40 acres, viz., 20 chains square, with boundaries due north, south, east and west. In unsurveyed territory the claim may be staked out to suit the discoverer. In surveyed territory the claim must conform to surveyed lines on the ground. The corners of a claim are marked with four posts. These posts are connected by lines blazed on the trees, if there are any, or marked by pickets or mounds if on bare rock. A similar line is blazed or marked from No. 1 (the north-east) post to the discovery, which must also be marked by a post planted on the outcropping. On No. 1 post and the discovery post must be marked the name of the licensee with the number of his license, date of discovery, and if in surveyed territory, the sub-division of the lot claimed.

"In special mining divisions the size of the claim is 20 acres, viz., 20 chains from north to south, and 10 chains from east to west. The township of Coleman has been proclaimed a special mining division by the Act.

"Within fifteen days after staking out his claim the licensee must make application to have it recorded in the office of the Recorder for the division on forms provided for the purpose. One day additional is allowed for every ten miles distance from the Recorder's office.

Three Claims a Year the Maximum.

"The licensee may stake out three mining claims in a year in any mining division. The fees for recording claims are \$5 for the first, \$7.50 for the second, and \$10 for the third.

"Thirty days' development work is required to be done on a claim within the first ninety days after recording it, sixty days within each of the next two years, and ninety days within the third year, making in all 240 days work of not less than eight hours per day within three years and three months. This work may be completed within a shorter period at the option of the claim-holder.

"On performance of the work, and filing proof of same with the Recorder, and also having the claim surveyed, if required, a patent of the claim will be issued by the Department free from any further working conditions. The price to be paid is \$2.50 per acre in unsurveyed territory, and \$1 per acre in surveyed land.

"The Act provides that an inspection may be made by Departmental inspectors to verify the allegation of valuable discovery. Similarly, the amount of work alleged to be done upon a claim is subject to inspection.

"It will be seen that the discovery of mineral in place is necessary before a mining claim can be acquired. The law makes special provision for cases where mineral does not outcrop at the surface by reason of an overburden of soil, barren rock, etc., or where the nature of the mineral does not admit of its appearing at the surface, as in the case of natural gas, salt, etc.

Two Dollars an Acre for Some.

"In such cases a working permit may be procured sixty days after making application therefor entitling the holder to exclusive possession of the claim for six months. During this time he is required to work on the claim five days in the week, or to expend an equivalent amount of labor. At the end of six months, if no discovery has been made, a renewal of the permit may be obtained. On making discovery, the claim may be taken up in the ordinary way.

"The Act also provides for what is known as 'prospecting permits,' under which a square mile of Crown territory may be staked out for the following minerals, viz.: coal, petroleum, natural gas, or salt, upon which \$2 per acre must be expended in searching for minerals during the currency of the permit, which is issued for one year. Upon discovery of any such minerals a lease may be obtained at an annual rental of \$1.00.

"To hold mining lands acquired under the Act a miner's license is necessary. Mining companies as well as persons and firms operating mines must also be licensees.

"Disputes between licensees, instead of being settled as formerly by the Department of Lands and Mines, are now referred to a Mining Commissioner. An appeal lies from the decision of the Mining Recorder to the Commissioner, and from the Commissioner to a Divisional Court, whose judgment is final.

"There are no royalties or taxes levied on minerals in Ontario.

"Miners and workmen under the Mines Act may obtain a lien for wages in the same way as a workman under the Mechanics Lien Act.

"Liquor licenses may not be granted in new mining camps within six miles of a working mine."

LIFE AND ACCIDENT INSURANCE.

At the conference of the International Association of Accident Underwriters at Bluff Point, Lake Champlain, thirty-six companies were represented, half a dozen of them Canadian. The president, Mr. W. Bro. Smith, gave the annual address. Among the addresses were those by Mr. Barry, Insurance Commissioner for Michigan, on "The Insurance Company and its Relations to the Public"; Mr. Miles Dawson, the eminent actuary of New York, on "Health Insurance in North America"; V. D. Cliff on "Industrial, Accident and Health Insurance"; by F. C. Oviatt on the general subject.

Mr. Smith deplored the failure of the association to cure foolish action by companies. Mr. Eastmure, of Toronto, differed from this view, insisting that the voluntary association could control no one, and that the individual companies were to blame for not following the recommendations of the body. Mr. Barry condemned the double liability clause in policies, and also the beneficiary clause. Mr. Oviatt, in an able paper, satirized the "fakes and frills" that some companies tacked on their policies for mere advertising. Some of the newer companies, he thought, were selfishly aiming at petty advantages, and there was a lack of dignity about their business. A committee was appointed to prepare standard forms of policy.

Over a year ago the North American Life Assurance Company applied to the Insurance Commissioner at St. Paul, Minnesota, for the release of the mortgages on deposit there on the ground that the company had not transacted business in that State for some years, having but a few policyholders there; and that New York State had been made the depository for securities for the benefit of policyholders in the United States. Insurance Commissioner O'Brien was anxious to meet the views of the company, but the Attorney-General for the State said consent of the courts was necessary. The North American Life thereupon entered into a friendly suit to obtain possession of the mortgages, amounting to a little over \$100,000, and suggested that it would be willing to leave on deposit in the State for the protection of policyholders (the total amount of the policies being about \$17,500) gold bonds to the amount of \$25,000. The judge consented, and said the suggestion of the company was very liberal.

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