

tial post marked No. 1, stating distance and general direction therefrom to each of the other corner posts, which shall be marked Nos. 2, 3, and 4.

Section 5. A deep placer mining claim shall not include any portion of any mining ground occupied by free miners, unless with the consent of such occupiers.

Section 6. Every free miner locating a deep placer mining claim shall record the same with the Mining Recorder of the district within which such claim is situate within fifteen days after the location thereof, if located within ten miles

RECORD OF  
CLAIMS.

of the office of said Mining Recorder; one additional day shall be allowed for every additional ten miles or fraction thereof. Such record shall be made in the regular book of records kept by the Mining Recorder for that purpose, in which shall be inserted the name of the claim, the name of the locator, the number of the locator's free miners' certificate, the locality of the claim and a general description of its boundaries. A certified copy of the record shall be given by the Mining Recorder to the free miner or his agents. A deep placer mining claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned.

Section 7. A free miner shall not be entitled to a record of a deep placer mining claim until he shall have furnished the said Mining Recorder with all the above particulars and shall have paid in advance to the Mining Recorder the annual deep placer mining tax of \$25, together with the customary fees required for making such record.

Section 8. Any free miner having duly located and recorded a deep placer mining claim shall be entitled to hold the same for a period of one year from the date of the recording of the same and thence from year to year without the necessity of re-recording; provided, however, that during each year and each succeeding year, such free miner shall do or cause to be done work on the claim itself to the value of \$100 and shall satisfy the Gold Commissioner, or Mining Recorder, that such work has been done, by an affidavit of the free miner, or his agent, setting out a detailed statement of such work, and shall obtain from such Gold Commissioner, or Mining Recorder, and shall record a certificate of such work having been done, provided also, that all work done outside of a deep placer mining claim with intent to work the same shall, if such work have direct relation and be in direct proximity to the claim, be deemed, if to the satisfaction of the Gold Commissioner or Mining Recorder, for the purpose of this section, to be work done on the claim: provided, further, that any free miner or company of free miners holding adjoining deep placer mining claims, or any two or more free miners, who locate and record adjoining deep placer mining claims to be worked both in partnership under the provisions of any act for the time being in force, shall, subject to filing a notice of their intention with the Gold Commissioner or Mining Recorder, be allowed to perform on any one or more of such claims all the work required to entitle him or them to a certificate for work for each claim so held by him or them; provided, also, that such free miner or company of free miners shall pay in advance to the Mining Recorder the deep placer mining tax on each claim held by him or them. If such work shall not be done and such tax shall not be paid, or if such certificate shall not be so obtained

or recorded in each and every year, the claims shall be deemed vacant and abandoned any rule or law or equity to the contrary notwithstanding.

Section 9. The owner of a deep placer mining claim shall be entitled to all surface rights, including the use of all timber thereon for mining and building purposes in connection with the working of said claim, so long as he holds said claim for the purpose of developing the minerals contained therein, but no longer.

SURFACE  
RIGHTS.

Section 10. Where the physical conditions surrounding deep placer mining claims intended for operations by hydraulic process, drifting process, or milling process, are such as to make it practically impossible to equip and operate each claim separately, it shall be lawful for the Gold Commissioner with the sanction of the Lieutenant-Governor-in-Council, to authorize a consolidation of such adjoining claims and water rights appurtenant thereto, so that they may be equipped and practically operated under one general system. Each application made to the Gold Commissioner for such consolidation of deep placer mining claims shall be accompanied with a deposit of \$20 and shall contain a schedule of the number of the claims and water rights desired to be so consolidated and shall also be accompanied with plats in quadruplicate showing the several adjoining claims and water rights desired to be so consolidated. If the application is granted the \$20 deposited by the applicant is to be retained to cover the cost of making out the necessary papers, and if not granted the deposit is to be returned to the applicant. A copy of the plat shall be filed in the office of the Minister of Mines, the Gold Commissioner, the Mining Recorder of the Mining Division in which said claims are situate, and one copy shall be returned to the applicant with the notice of approval of consolidation. After receiving notice that such consolidation has been authorized, the holder or holders thereof shall be allowed in each and every year to perform on any one or more of such claims all the work that is necessary to be performed to hold the whole of such claims included in such consolidation. The holders of such consolidation may, in lieu of the required expenditure in work on such claims in each year, pay to the Mining Recorder of the mining division in which such claims are situate the sum of the aggregate amount required to be expended on the consolidated claims, together with the amount of the aggregate deep placer mining tax, and receive from such recorder a record and receipt for such payment and record thereof in any year shall relieve the person or company making it from the necessity of doing any work during the year in and for which and upon the consolidation of claims in respect of which such payment is recorded.

Section 11. Any free miner who is the holder of a deep placer mining claim, or mine, shall be entitled to a grant from the Gold Commissioner of such quantity of unappropriated water from any stream or lake together with the right and privilege to construct and maintain dams, gates, canals, ditches, flumes and pipe lines for the purpose of controlling such water as may in the opinion of the Gold Commissioner be necessary to work the said mining ground efficiently and shall have the right of way through any mining ground or unoccupied Crown lands, for

WATER RIGHTS.