

30(a). The Inspector may at any time require the licensee holding any mining claim to point out and identify, either to himself or some other officer appointed for the purpose by the Minister of Lands and Mines, the vein, lode or other deposit of ore or mineral in place described or referred to in the affidavit filed with the Inspector upon which the said claim was recorded, giving the licensee recording such claim or in whose name such claim is recorded at least seven days' personal notice, or notice by registered letter to his address as shewn in such record, and upon failure or neglect of such licensee to so point out and identify the said vein, lode or other deposit of ore or mineral in place, or upon it being apparent to the Inspector or other officer appointed by the said Minister and inspecting the claim as aforesaid that the alleged discovery is not a *bonâ fide* and valuable vein, lode or other deposit of ore or mineral in place, the said Inspector acting upon his own inspection or upon the written report of such other officer may cancel the said claim and declare it to be null and void by entering such cancellation in the margin of the record and appending his initials thereto, and shall at once notify the licensee thereof by registered letter and post a notice of such cancellation upon the walls of his office; provided that the said licensee shall have the right of appeal from the Inspector's decision to the Minister of Lands and Mines within twenty days from the date of such decision.

The statute R.S.O. 1897, c. 36, s. 44, gives the Lieutenant-Governor authority by Order-in-Council to set aside mining divisions and declare all mines on Crown lands situate in the division to be subject to the provisions of the Act and to any regulations to be made under the Act. Section 47 of the above Act, as amended by 61 Vict. (Ont.) c. 11, s. 3, declares that a licensee who discovers a vein, lode or other deposit of ore or mineral in place within the division mentioned in his license shall have the right to mark or stake out thereon a mining claim.

The Order-in-Council above referred to purports to authorize the Inspector to cancel the claim if the vein, lode or other deposit of ore or mineral in place discovered by a licensee is not also "*bonâ fide* and valuable."