

of developing them are entirely different from the regulations governing the same matters in the Yukon.

This bill will repeal the Yukon Quartz Mining Act and the Yukon Placer Mining Act, and will make the necessary amendment to the Territorial Lands Act. Upon the repeal of these two statutes the administration of quartz and placer mining will be brought under the Territorial Lands Act, which was passed in 1950, and replaced the old Dominion Lands Act.

The Dominion Lands Act was first passed in 1872. Except for quartz and placer mining in the Yukon, to which reference will be made later, it was the statute which governed the disposition and administration by the federal government of the lands and other resources owned by it in the four western provinces and in the Yukon and Northwest Territories. Upon the transfer of the resources to the provinces in 1930 the Act continued to apply to the Yukon and Northwest Territories only.

Except for certain special provisions relating to homesteads and school lands, the Dominion Lands Act gave the Governor in Council full authority to pass regulations for the sale and other disposition of all lands, mineral rights, timber, and other resources. Under the Act quartz and placer mining regulations were established and applied to both territories until the Yukon Placer Mining Act (1906) and Yukon Quartz Mining Act (1924) were passed. With these exceptions, and until 1930, the regulations applied to the western provinces and the Northwest Territories. From 1930 they applied only to the Northwest Territories. In 1932 the regulations were revised and brought up to date and, subject to amendments made from time to time, have continued in effect up to the present time.

The present situation therefore is that all federal resources, including the surface rights and petroleum in the Yukon and Northwest Territories are administered under the Act by regulations, with the exception of quartz and placer mining in the Yukon.

The Territorial Lands Act gives the Governor in Council the same powers to pass regulations as were contained in the old Act. Section 7 of the Territorial Lands Act provides:

The Governor in Council may make regulations for the leasing of mining rights in, under or upon territorial lands and the payment of royalties therefor, but such regulations shall provide for the protection of and compensation to the holders of surface rights.

The need for uniformity in the regulations in both territories has become increasingly

apparent, particularly now that mining and oil developments are taking place adjacent to the common boundary line. There is also a need to revise and bring up to date the quartz and placer mining laws in the Yukon. It is intended to revise the existing quartz mining regulations now in effect in the Northwest Territories and to make them applicable to both territories. This can be done when the proposed legislation is passed.

Hon. Mr. Reid: May I ask the honourable gentleman whether all the mineral rights in the territories mentioned are held by the Dominion government, or do the mineral rights pass with the transfer of land to a new owner?

Hon. Mr. MacKinnon: I am quite satisfied that the Dominion Government was the holder of title to all lands in both the territories; but any lands that have been disposed of through private individuals—that is in the Northwest Territories, and I think it is the same in the Yukon—are now held by the purchaser in his name, minerals excluded.

The motion was agreed to, and the bill was read the second time.

REFERRED TO COMMITTEE

The Hon. the Speaker: Honourable senators, when shall this bill be read the third time?

Hon. Mr. MacKinnon: Honourable senators, I move that this bill be referred to the Standing Committee on Natural Resources.

The motion was agreed to.

SAINT JOHN BRIDGE AND RAILWAY EXTENSION COMPANY BILL

SECOND READING

Hon. J. J. Hayes Doone moved the second reading of Bill L, an Act respecting the Saint John Bridge and Railway Extension Company.

He said: Honourable senators, the chief features of this bill are the repayment of a loan and the resolving of certain rights.

The historical background may be briefly stated as follows: The Saint John Bridge and Railway Extension Company was incorporated by the Statutes of New Brunswick (1881), 44 Victoria, Chapter 44, with authority to construct and maintain a line connecting the Saint John and Maine Railway at Fairville, New Brunswick, with the Intercolonial Railway at its terminus in Saint John, New Brunswick. It was also authorized to construct a bridge across the Saint John River as part of this undertaking. By Chapter 26 of the Statutes of Canada 1883, the company was declared to be a work for the general advantage of Canada.