

PROPOSED AMENDMENTS TO PLACER MINING ACT.

AS RECOMMENDED BY THE PROVINCIAL MINING ASSOCIATION.

On page 1, after section 1, add section to read as follows: "Claims usually called 'placers,' including all forms of deposit excepting veins of quartz or other metalliferous or valuable mineral rock in place, shall be subject to location, entry and Crown grant under like circumstances and conditions and upon similar proceedings as are provided in a general way by the Mineral Act for lode or mineral claims."

(The object being to simplify and encourage the working of placers, and to facilitate the final acquisition of a permanent title thereto.)

Part I, Sec. 5 B—Strike out on 5th line all after word "certificate" to "shall" on 6th line.

All after "certificate" on eighth line to "and" on 11th line, and change "three hundred" to "one hundred and fifty" on 13th and 14th lines.

And make corresponding changes in form of special certificate following.

(The object of this section is to give security to foreign owners against loss by accidental or other omission to take out a free miner's certificate on time by its employees.)

Sec. 6—Add words to end, "or satisfactory proof by statutory declaration or otherwise accounting for the non-production thereof.

(This is to provide against being handicapped in case, in the upper country, the free miner's certificate should be left behind or lost.)

Sec. 9—Insert after "shall" on 7th line the words "subject to the provisions of Clause (b), Sec. 5," as amended.

(This amendment is to conform to the alteration in Sec. (b), clause 5.)

Add at end of Sec. 9 the words, "or shall hereafter be issued."

(These words are added to preclude a doubt as to what should be done in the future.)

New Section (15) Every free miner shall be entitled to locate and record and hold only one claim on each separate creek, ravine, hill or bar diggings. He shall be allowed to hold any number of claims by purchase, and shall have the right to work said claims so held under one general system; and every free miner may sell, mortgage or dispose of his claim or claims, or any interest therein.

(The object of this is to permit a number of single claim owners to work their claims jointly; or, if acquired and held by one owner, to consolidate them and work under a general system. It is not suggested that the number of claims should be limited, as there is only one outlet, which, if limited, might prejudicially affect or even bar the possibility of the owners of the upper locations from being able to work their claims at all until after the exhaustion of the lower ones, except at prohibitive cost.)

Part II, Sec. 17—Add following new sub-section (20): The Gold Commissioner or Mining Recorder shall, immediately after being advised of the discovery of new creek diggings, have a survey made of same, said survey to be made by a Provincial Land Surveyor on each newly discovered creek, placing monumental posts every 500 feet, to be numbered consecutively 1, 2, 3, above, and 1, 2, 3, etc., below discovery; and the initial post of every claim shall be tied by survey or description to the nearest monumental post. Maps of such survey shall be kept at the office of the Gold Commissioner or Mining Recorder.

(Difficulties arose at Atlin during the rush which took place there in the early history of that camp. Anticipating a similar experience of a large influx of prospectors, it is to define

the locations by reference to these posts, and so save the Mining Recorder and other Government officials the difficulty of recording overlapping locations and prospectors from innocently selling locations having no status owing to the difficulty of proper description.)

Sec. 18—Strike out.

(The object of this is to enable the ground to be dealt with as abandoned and worked-out ground under Part VII of this Act as proposed to be amended, and defining by statute the time when such claim shall be deemed abandoned, instead of leaving it to chance for years to come.)

Sec. 20—On 4th line strike out all after "locator" to "the" on 5th line.

(This alteration is simply to conform to Sec. 5 (b).)

Sec. 27—Strike out on second line the words "one or more years" and all of last sentence.

(The alteration of this section is to conform to the proposed amendment to Sec. 1 of this Act.)

Sections 28 and 30 and 31 strike out, and substitute the following (31): Any free miner having located and recorded a placer mining claim shall be entitled to hold the same for a period of one year from the date of recording the same, and thence from year to year without the necessity of re-recording; provided, however, that during such year and each succeeding year such free miner shall do or cause to be done work on the claim to the value at least of \$100, and shall satisfy the Gold Commissioner or Mining Recorder that such work has been done, by an affidavit by the free miner or his agent, setting out in a detailed statement such work; provided, further, that any free miner or company of free miners holding adjoining placer mining claims to be worked under one general system shall be allowed to perform on any one or more of such claims all the work required to entitle him or them to a certificate of work for each claim so held by him or them. If such work shall not be done, or if such certificate shall not be obtained or recorded in each and every year, the claim or claims on or in respect of which the requisite work has not been done shall be deemed vacant and abandoned, and open for re-location.

(This alteration is to conform with the proposed amendment to Sec. 1 of this Act.

Sec. 33—Strike out.

(This is struck out, as the Judgment of the Supreme Court of Canada in *Manley v. Collom* held it to be a bad section or bad law.)

Sec. 36—Strike out all after "for" in 3rd line to "and" in 4th, and insert in lieu thereof "one year," and strike out the "re-recording" in 5th line.

(Sec. 36 is proposed to be amended simply to conform to Sec. 1 hereof.

Sec. 37—Strike out all after "have" in 3rd line and insert in lieu thereof "complied with provisions of (new) Sec. 107."

(This amendment is to clear up all doubts as to the possession of any vein or lode, and provides a method whereby it can be acquired without doubt.)

Sec. 38—Strike out.

(The reason of this is that the \$100 worth of work expended annually sufficiently saves the locator from being ousted and relieves the Gold Commissioner from work which will not be required if the recommendations contained in this document be adopted.

(This will also prevent the continual holding of claims from year to year under such (in many cases) subterfuges as a lay-over, a re-record, a leave of absence, and other reasons galore—which we understand have been taken advantage of to an unlimited extent in the past.)

"This will enable *bona fide* prospectors to hold their claims as against the influences of large leaseholders who propose to force them to sell if possible.)

Sections, 39, 40, 41 and 42—Strike out, except Clause 3 of Sec. 42.