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## The Ontario Mines Act.

The Bill to amend the *Mines Act* of the Province of Ontario, upon which some comments were made in the April number of the REVIEW, was passed by the Legislature of that Province on the 27th of that month, after certain alterations of the text originally proposed by the Commissioner of Crown Lands for the Province. We deem it only fair to note the more important of these alterations, since they effect, to some extent, the criticisms editorially expressed in our former article.

1 The chief changes deserving mention are in Section 7, in which the contribution exacted from miners at a given rate per ton of gross product of ore has been changed in name from a "tax" to a "license-fee," (a distinction without a practical difference) and the special "taxes" of 50 cents per ton on iron ores; \$5.00 per ton (or \$15.00 per ton of metal contents if partly treated or reduced) on zinc ores; \$2.00 per ton (or \$25.00 per ton of metal contents if partly treated or reduced) on copper ores; and the general tax on "all other ores or minerals," at a rate to be fixed from time to time by Order-in-Council, not exceeding 5 per cent. of the selling price, have been struck out. What remains is: the "license-fee" of \$10.00 per ton (or \$60.00 per ton if partly treated or reduced) on ores of nickel; and \$7.00 per ton (or \$50.00 per ton if partly treated or reduced) on ores of copper and nickel.

For their escape from the special burdens proposed in the original Bill, but eliminated from it before its passage, the industries affected may well be grateful; but the miners of the ores of nickel, or of nickel and copper, will find little reason to give thanks; for, whereas the Bill as introduced taxed such ores, if partly treated or reduced, at certain high rates per ton of *metal contents*, (The words we italicize have been dropped from the Act as passed) and consequently the tax or "license-fee" which it imposes is laid on the ton of ore, not of metal produced. This, so far as it has any force, is a simple prohibition of all domestic metallurgical treatment; but Section 10 authorises the Lieutenant-Governor to remit the whole, or any part of the amount thus exacted—and this section covers, moreover, all ores smelted in the Province, not merely those of nickel and copper.

2. Section 14 of the original Bill, providing that all patents or leases of mining lands shall contain an express condition, requiring all ores of nickel or copper mined therefrom to be completely reduced in the Dominion of Canada to forms suitable for use in the arts without further treatment—on penalty of the forfeiture of the grant or lease—has been wisely dropped.

The Act as thus amended and passed retains two general characteristics, which we regard as unjust and unwise; namely, it lays upon

the mining industry special taxes, not borne by other industries; and it leaves the enforcement of these special taxes, as well as their amount, to the Government. By Section 13, a proclamation of the Lieutenant-Governor-in-Council is necessary to make affective any of the Sections 4 to 12, inclusive. Since sections 1, 2 and 3 take effect without this condition, and thus repeal Sections 3, 4, 5 and 6 of the former *Mines Act*, and also abolish royalties and rescind reservations. The present Act appears to leave no law whatever as to these important particulars, until the Lieutenant-Governor-in-Council shall promulgate one by proclamation, and, in substance, it seems to authorise the Government to fix the rate of special taxation ("license-fees") at anywhere from zero to the amounts stated in the Act, which thus serve only as *maxima*.

But Sections 4 and 5 of the *Mines Act*, which are repealed by this Act, provided for royalties on all kinds of ores and minerals; and Section 7 of the Bill, which we criticised last month, similarly included all ores and minerals. The Act as passed, however, mentions only ores of nickel and ores of copper and nickel. We do not find in it any grant of authority to the Government to fix any rates whatever for iron ore, copper ore, zinc ore, or other ores and materials. The repeal of the provisions formerly covering these items, and the failure to mention them in the new Act, looks like an unintentional remission of all taxes and fees (except the \$10.00 preliminary license fee) to these industries.

The net result seems to be an amusing confusion, out of which even the Government cannot bring order. Even the purpose of the Act, which was not wise, is defeated by the blunders of its framers and amenders. Of course there will have to be further amendment—which is, in itself, an evil.

But, supposing that all this should be done, so that the Act could do what it seems to have been intended to do—namely, fix a maximum tax for each mining industry, and authorize the Lieutenant-Governor-in-Council to reduce the said tax whenever he thinks best to do so, we must still declare that the effect of such legislation would be to discourage mining in Ontario, and especially such mining as involves large investment of capital. Uncertainty is the great hindrance to investments in mining. Nothing is so hopelessly gone as the money spent in the unsuccessful development of mineral property. The holes in the ground which represent a heavy expenditure cannot be taken away, or sold as "scrap" or otherwise utilized. The experiment of mining is always one in which total loss is risked, and the large profits which are sometimes realized do not make this industry, as a whole, exceptionally remunerative. It is the constant endeavour of mining engineers, scientific investigators and inventors to reduce the uncertainties involved in mining, so as to make it more and more "a legitimate business," and this endeavour is, more or less, thwarted by any legislature which treats