

Irregularity
previous to
last certificate
of work.

35. Upon any dispute as to the title to any mineral claim no irregularity happening previous to the date of the record of the last certificate of work shall affect the title thereto, and it shall be assumed that up to that date the title to such claim was perfect, except upon suit by the Attorney General of Canada based upon fraud.

Not more than
one claim to be
held by free
miner.

36. No free miner shall be entitled to hold in his own name, or in the name of any other person, more than one mineral claim on the same vein or lode, except by purchase, but such free miner may hold by location a claim upon any separate vein or lode.

Abandonment
of claim.

37. A free miner may at any time abandon any mineral claim by giving notice in writing of his intention to abandon to the Mining Recorder, and from the date of the record of such notice all interest of such free miner in such claim shall cease.

Machinery on
abandoned
claim.

38. When a free miner abandons a mineral claim he shall have the right to take from the same any machinery and any personal property which he may have placed on the claim, and any ore which he may have extracted therefrom, within such time as shall be fixed by the Mining Recorder.

Re-location of
an abandoned
claim.

39. No free miner shall be entitled to re-locate any mineral claim, or any portion thereof, which he shall have failed to record within the prescribed period, or which he shall have abandoned or forfeited, unless he shall have obtained the written permission of the Mining Recorder to make such re-location; and he shall hold no interest in any portion of such mineral claim, by location, without such permission.

Right to lode
discovered in
tunnel.

40. Where a tunnel is run for the development of a vein or lode the owner of such tunnel shall, in addition to any mineral claim legally held by him, have the right to all veins or lodes discovered in such tunnel, provided that the ground containing such veins or lodes be marked out by him as a mineral claim, and be duly recorded within fifteen days after such discovery; and provided further, that such veins or lodes are not included in any existing mineral claim. Any money or labour expended in constructing a tunnel to develop a vein or lode shall be deemed to have been expended on such vein or lode.

Interest in
claim a chattel
interest.

41. The interest of a free miner in his mineral claim shall, save as to claims held as real estate, be deemed to be a chattel interest, equivalent to a lease, for one year, and thence from year to year, subject to the performance and observance of all the terms and conditions of these Regulations.

Payment in
lieu of expen-
diture.

42. Any lawful holder of a mineral claim shall be entitled to a Crown grant thereof on payment to the Dominion Government of the sum of five hundred dollars in lieu of expenditure on the claim, in addition to the amount payable as provided by Section 58 of these Regulations. The intending purchaser shall comply with all the provisions of these Regulations, except such as have respect solely to the work required to be done on claims.