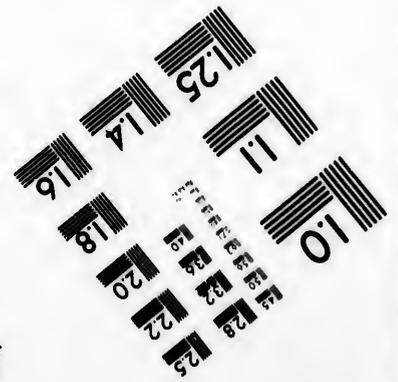
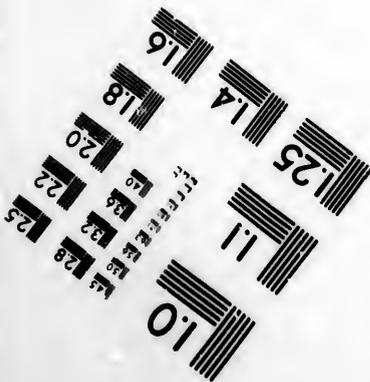
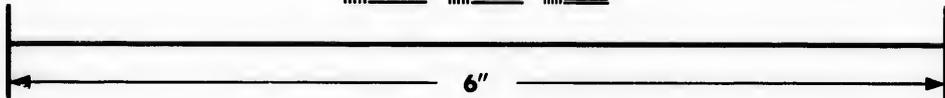
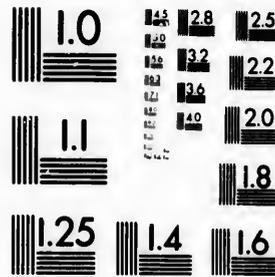


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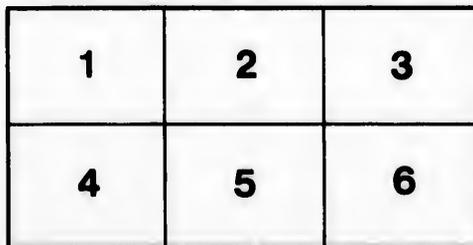
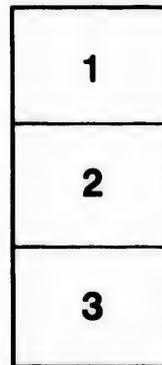
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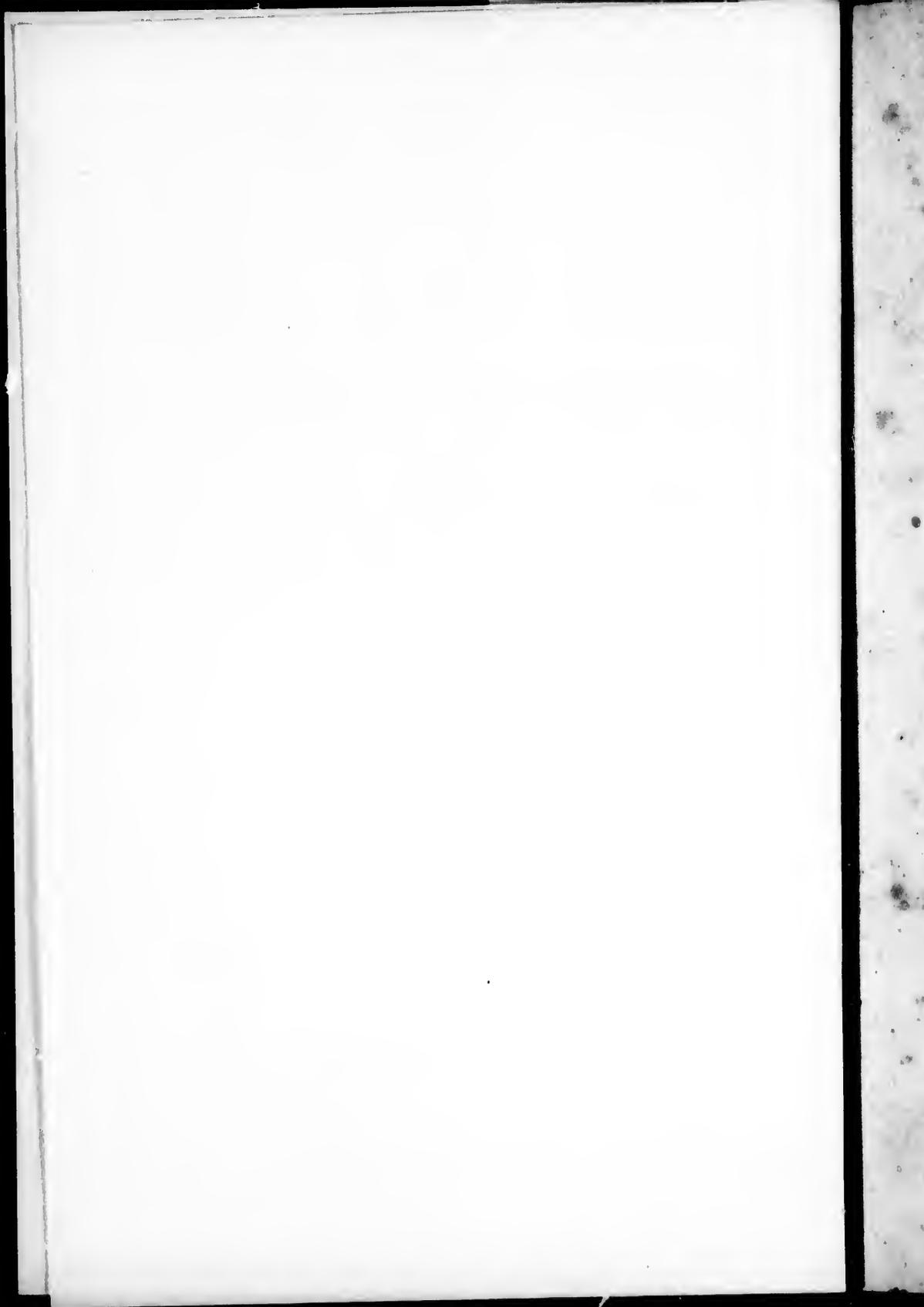
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**THE**  
**MINING LAWS**  
**OF**  
***BRITISH COLUMBIA***  
**CONTRASTED**  
**WITH THOSE OF**  
**OTHER COUNTRIES.**

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VICTORIA, B. C.:  
PRINTED AT THE BRITISH COLONIST OFFICE,  
1873.

1873

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DEAR SIR,

I respectfully call your attention to the Mining Law of British Columbia known as the Gold Mining Ordinance, 1865, and ask your assistance in having it changed so as to compare with the more liberal Laws of the Dominion of Canada, or those of the United States.

England has furnished millions to buy and work mines in the United States. I believe they will furnish the same capital to British Columbia providing the same liberal title can be given for the Mines. By the report of an English Mining Engineer (Capt. James Barrett) dated 24th September, 1869, Buckeye Gravel Claim, Bridgeport, Nevada County, California, was sold to London capitalists for £55,000. Mr. Pearcey, late of the Forest Rose Claim, Cariboo, after reading the report in full, gave it as his opinion that the Forest Rose was the best mine of the two, yet he sold it at the rate of \$8000.

Many American placer mines have been sold at large figures in London and other cities. British Columbia placer mines, such as the Ballarat, Forest Rose, Black Bull, Van Winkle, Gladstone and others, too numerous to mention, should bring like favorable prices. The American Miner can give a United States Patent (the Dominion of Canada is equally liberal). But the miner of British Columbia can give no satisfactory title. To the miner living upon the ground the possessory title is good. But the same is worthless to the capitalist who lives in London, San Francisco or elsewhere. They require a Proprietary title. Such laws as we have here rule out those who would buy for cash. When Mr. Pearcey sold to his partners, he did not increase the wealth of Cariboo. If a sale is made to outside parties it is so much added to the wealth of this country.

Leases of undeveloped ground bring additional wealth into British Columbia, but do not increase the value of the Free Mining property.

So long as the law prevents the miner from selling to the highest bidder, it debars him from one of the principal chances of making money. "Will liberal laws drive men from this country?" I believe the present Law has been the cause of many men leaving British Columbia! I am aware that it is easy to point out defects in Mining Laws. The cure for them requires time, thought and care, together with a thorough knowledge of the subject, of mining and mining laws. I only know of one policy safe to adopt, that is, copy from the example of liberal nations who have given the mining laws careful study and adopted such laws as experience has taught them to be the best. The Dominion of Canada is prospering under more liberal mining laws. The mines of Lake Superior (Silver Islet) though young when compared with the mines of British Columbia have far surpassed us in prosperity, while Cariboo, which in my estimation is the best mining district within the Confederation of Canada, is almost dead. I believe she would awaken to new life and energy under more liberal laws. Her prosperity will help the farmer, merchant, banker, steamboatman, teamster and others throughout the country and I doubt not that Legislators from other districts will aid in passing such laws as required.

Raymond's reports, page 214: Ontario session ending Dec. 1868, passed a law abolishing all royalty, taxes and duties imposed by any previous patents, and rescinded all reservations of gold and silver mines contained in previous grants. The fee simple of the minerals is made over to the owner of the soil and no reservation or exception of gold, silver, iron, copper or other minerals may hereafter be inserted in any Patent from the Crown granting lands sold as mining lands. Page 215 remarks: The new and more liberal policy is gaining ground and doubtless the example of Ontario will be followed by other provinces. The principle of reform is a release of the miners from onerous taxation; other necessary or advisable improvements will follow as they are dictated by experience. The Dominion, following the example of Ontario passed a law equal in liberality to the mining laws of any nation.

"The Laws of Prussia." Raymond's report (page 199). The state surrenders entirely its claim to mineral rights, and stands henceforth on the same footing as private citizens, retaining only the right of police, justice and finance, which it exercises over every form of property and labor. Page 116. The assertion of any right of Royalty in the precious metals is unfounded in nature and unwise in practice. The most enlightened nations have abandoned the idea of anything more than a general supremacy of the State over mining in the interest of the people.

The mining laws of the United States are for the purpose of giving the miner a satisfactory proprietary title. The laws of the Dominion are the same, they do not interfere with the working or holding of proprietary or possessory titles by miners, and they place no restrictions upon the miner, regarding ditches, bedrock flumes, laying over, mining boards, or time or manner of working but leave such regulations to the miners themselves who pass their own laws regarding local rights. The miners on Peace River may desire ditch or other rights different from the Cariboo Miners. If so let them regulate it themselves upon the spot. If a lease is applied for let the miners in the district recommend it or not as they may see proper. But don't compel the applicant to wait for the slow coach of Government month after month. I applied for a lease on Willow River, May 1st, 1872, and received no answer until August 22nd. The application is still "swinging round the circle." In the Dominion and in the United States I could have 'bought the ground' formed a company, had the machinery upon the ground and in working order in less time than it takes this Government to say "yes" or "no." The Mining Laws of the Dominion of Canada are being included in an Act respecting Public Lands assented to April 14th, 1872. Vic. 35, Page 68, says as follows:

#### MINING LANDS.

37. No reservation of gold, silver, iron, copper, or other mines or minerals shall be inserted in any patent from the Crown granting any portion of the Dominion lands.

38. Any person or persons may explore for mines or minerals on any of the Dominion lands, surveyed or unsurveyed, and not then marked or staked out and claimed or occupied, and may, subject to the provisions hereinafter contained, purchase the same.

39. Mining lands if in surveyed townships may be acquired under the provisions herein contained, and shall be sold in legal

subdivisions. When situate in unsurveyed territory and without the limits of the Fertile Belt, such lands shall be sold in blocks to be called mining locations; and every such mining location, except as hereinafter provided, shall be bounded by lines due north and south and due east and west, astronomically; and each such location shall correspond with one of the following dimensions, namely, eighty chains in length by forty in width, containing three hundred and twenty acres,—or forty chains square, containing one hundred and sixty acres,—or forty chains in length by twenty in width, containing eighty acres.

1. Provided further that in case of certain lands proving to be rich in minerals, the Secretary of State shall have the power to withdraw such lands from sale, and in lieu thereof institute a system of lease.

2. The rent payable to the Crown under any such lease shall be a royalty not to exceed two and a half per cent. on the net profits of working.

3. Provided further that when there are two or more applicants for the same tract, and prior right in either or of any applicants is not established to the satisfaction of the Secretary of State, the same may be tendered for by the claimants on stated terms of lease and sold to the highest bidder.

4. Provided also that in territory supposed to contain minerals the Secretary of State may in his discretion reserve from sale alternate locations, or quarter sections, or other legal subdivisions with the view of subsequently offering the same either for sale or lease at public competition.

40. Mining locations in unsurveyed territory shall be surveyed by a Deputy Surveyor, and shall be connected with some known point in previous surveys, or with some other known point or boundary (so that the tract may be laid down on the maps of the territory in the Dominion Lands Office) at the cost of the applicants, who shall be required to furnish with their application the Surveyor's plan, field notes and description thereof.

41. No distinction in price shall be made between lands supposed to contain mines or minerals, and farming lands, but both classes shall be sold at the uniform price of one dollar per acre provided that clause 29 of this Act as regards offering lands at public sale shall apply to coal and mineral lands also, when the same are in surveyed townships.

42. It shall also be lawful for the Secretary of State to exempt from the preceding provisions of this Act such of the Dominion lands upon or adjoining the banks of rivers or other waters as may be supposed to contain valuable "Bar," "Bench," or "Dry Diggings" for gold or other precious metals; and the Governor in Council shall regulate from time to time, as the same may become necessary and expedient, the nature and size of the claims containing such diggings, and shall fix the terms and conditions upon which the same shall be held and worked, and the [fees or] royalty payable in respect thereof, and shall appoint and fix the salaries and prescribe the duties of such officers as may be necessary to carry out such regulations.

The Clause referred to in Clause 41 is as follows:—

29. Unappropriated Dominion lands, the surveys of which

may have been duly made and confirmed, shall, except as otherwise hereinafter provided, be open for purchase at the rate of one dollar per acre: but no such purchase of more than a section, or six hundred and forty acres, shall be made by the same person: provided that, whenever so ordered by the Secretary of State, such unoccupied lands as may be deemed by him expedient from time to time shall be put up at public sale (of which sale due and sufficient notice shall be given) at the upset price of one dollar per acre, and sold to the highest bidder.

The United States passed no laws regarding mines or mining lands until nearly twenty years after the mines of California were struck. Previous to 1866 the miners made their own laws and regulations and held possessory title, during that year the General Government passed a law by which the miners could acquire a proprietary title to quartz ledges by doing \$1000 worth of work previous to patent and paying the Government \$5 per acre. That law was repealed and the present law passed (which includes placer mines) fixing the rate at \$2.50 per acre. In order to carry the laws into effect it requires no special officials, the land and survey officers doing the work, for which they receive fees only, I believe the only official in the employment of the Government is Rossiter W. Raymond, U. S. Commissioner of Mining Statistics. He was employed for the purpose of gaining information regarding the wants of the miners so that the Government could pass suitable laws. Clause third of the instructions given to him by the Government required him to report upon (April, 1868,) as follows:

The special needs of the great mining interest, how it can be encouraged and rendered most productive, how far individual enterprise should be left untrammelled by legislative action, and to what extent and in what instances government might properly lend its aid to facilitate the development of the mines and thus arrest the present annual decrease in the production of bullion.

Upon his report the present Mining Law was passed in 1872, and is as follows:

Section 1. That all mineral deposits in lands belonging to the United States, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and purchase, and the lands in which they are found, to occupation and purchase, by citizens of the United States and those who have declared their intention to become such, under regulations prescribed by law, and according to the local customs or rules of miners in the several mining districts, so far as the same are applicable and not inconsistent with the laws of the United States.

Sec. 2. That mining claims upon veins or lodes of quartz or other rock in place bearing gold, silver, cinnibar, lead, tin, copper or other valuable deposits, heretofore located, shall be governed as to the length along the vein or lode by the customs, regulations and laws in force at the date of their location. A mining claim located after the passage of this act, whether located by one or more persons, may equal but shall not exceed 1,500 feet in length along the vein or lode; but no location of a mining claim shall be made until the discovery of the vein or lode within the limits of the claim located. No claim shall extend more than 300 feet on each side of the middle of the vein at the surface, nor shall any claim

be limited by any mining regulation to less than 25 feet on each side of the middle of the vein at the surface, except where diverse rights existing at the passage of this act shall render such limitation necessary. The end lines of each claim shall be parallel to each other.

Sec. 3. That the locators of all mining locations heretofore made, or which shall hereafter be made, on any mineral vein, lode or ledge, situated on the public domain, their heirs and assigns, where no adverse claim exists at the passage of this act, so long as they comply with the laws of the United States, and with State, Territorial and local regulations not in conflict with the said laws of the United States governing their possessory title, shall have the exclusive right of possession and enjoyment of all the surface included within the lines of their locations, and of all veins, lodes and ledges throughout their entire depth, the top of the apex of which lies inside of such surface lines extended downwards vertically, although such veins, lodes or ledges may so far depart from a perpendicular in their course downward as to extend outside the vertical side lines of said surface locations; provided, that the right of possession of such outside parts of said veins or ledges shall be confined to such portions thereof as lie between vertical planes drawn downward as aforesaid, through the end lines of their locations, so continued in their own direction that such plans will intersect such exterior parts of said veins or ledges; and provided further, that nothing in this section shall authorize the locator or possessor of a vein or lode which extends in its downward course beyond the vertical lines of his claim to enter upon the surface of a claim owned or possessed by another.

Sec. 4. That where a tunnel is run for the development of a vein or lode, or for the discovery of mines, the owners of such tunnel shall have the right of possession of all veins or lodes within 3,000 feet from the face of such tunnel, on the line thereof, not previously known to exist, discovered in such tunnel, to the same extent as if discovered from the surface; and locations on the line of such tunnel of veins or lodes not appearing on the surface, made by other parties after the commencement of the tunnel, and while the same is being prosecuted with reasonable diligence, shall be invalid; but failure to prosecute the work on the tunnel for six months shall be considered as an abandonment of the right to all undiscovered veins on the line of said tunnel.

Sec. 5. That the miners of each mining district may make rules and regulations not in conflict with the laws of the United States, or with the laws of the State or Territory in which the district is situated, governing the location, manner of recording, amount of work necessary to hold possession of a mining claim subject to the following requirements: The location must be distinctly marked on the ground so that the boundaries can be readily traced. All records of mining claims hereafter made shall contain the name or names of the locators, the date of location, and such a description of the claim or claims located, by reference to some natural object or permanent monument as will identify the claim. On each claim located after the passage of this act, and until a patent shall have been issued therefor, not less than \$100 worth of labor shall be performed or improvements made during each year.

On all claims located prior to the passage of this act, \$10 worth of labor shall be performed or improvements made for each one hundred feet in length along the vein until a patent shall have been issued therefor; but where such claims are held in common, such expenditure may be made on any one claim. And upon a failure to comply with these conditions, the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made: Provided. That the original locators, their heirs, assigns or legal representatives, have not resumed work upon the claim after such failure and before such location. Upon the failure of any one of the several co-owners to contribute his proportion of the expenditures required by this act, the co-owners who have performed the labor or made the improvement may, at the expiration of the year, give such delinquent co-owner personal notice in writing or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and if at the expiration of ninety days after such notice in writing or by publication, such delinquent should fail or refuse to contribute his proportion to comply with this act, his interest in the claim shall become the property of his co-owners who have made the required expenditure.

Sec. 6. That a patent for any land claimed and located for valuable deposits may be obtained in the following manner: any person, association or corporation authorized to locate a claim under this act having claimed or located a piece of land for such purpose, who has, or may have complied with the terms of this act, may file in the proper land office an application for a patent, under oath, showing such compliance together with a plat and field notes of the claim or claims in common, made by or under the direction of the United States Surveyor-General, showing accurately the boundaries of the claim or claims, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted as aforesaid, and shall file a copy of said notice in such land office, and shall thereupon be entitled to a patent for said land, in the manner following: the Register of the land office, upon the filing of such application, plat, field notes, notices and affidavits shall publish a notice that such application has been made, for the period of sixty days, in a newspaper to be by him designated as published nearest to said claim, and he shall also post such notice in his office for the same period. The claimant at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the Register a certificate of the United States Surveyor-General that \$500 worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by reference to natural objects or permanent monuments as shall identify the claim and furnish an accurate description to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notices have been posted in a conspicuous place on the claim during the

said period of publication. If no adverse claim shall have been filed with the Register and Receiver of the proper land office at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to the patent, upon the payment to the proper officer of five dollars per acre, and that no adverse claim exists; and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with this act.

Sec. 7. That where an adverse claim shall be filed during the period of publication, it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries and extent of such adverse claim, and all proceedings, except the publication of notice, and making and filing of the affidavit thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction, or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction, to determine the question of the right of possession, and prosecute the same with reasonable diligence to final judgment; and a failure to do so shall be a waiver of his adverse claim. After such judgment shall have been rendered, the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the Register of the Land Office, together with the certificate of the Surveyor General, that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the Receiver five dollars per acre for his claim, together with the proper fee, whereupon the whole proceedings and the judgment roll shall be certified to by the Register to the Commissioner of the General Land Office, and a patent shall issue thereon, for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, to rightfully possess. If it shall appear from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the Surveyor General, whereupon the Register shall certify the proceedings and judgment roll to the Commissioner of the General Land Office, as in the preceding case, and patents shall issue to the several parties according to their respective rights. Proofs of citizenship under this act or the acts of July 26th, 1866, and July 9th, 1870, in the case of an individual, may consist of his own affidavit thereon, and in case of an association of persons unincorporated, of the affidavit of their authorized agent, made on his own knowledge or upon information and belief, and in case of a corporation organized under the laws of the United States or of any State or Territory of the United States, by the filing of a certified copy of their charter or certificate of incorporation; and nothing herein contained shall be construed to prevent the alienation of the title conveyed by a patent for a mining claim to any person whatever.

Sec. 8. That the description of vein or lode claims, upon surveyed lands, shall designate the location of the claim with reference to the lines of the public surveys, but need not conform therewith; but where a patent shall be issued as aforesaid for

claims upon unsurveyed lands, the Surveyor-General, in extending the surveys, shall adjust the same to the boundaries of such patented claim, according to the plat or description thereof, but so as in no case to interfere with or change the location of any such patented claim.

Sec. 9. That sections 1, 2, 3, 4, and 6, of "an act granting the right of way to ditch and canal owners over the public lands, and for other purposes," approved July 26, 1866, are hereby repealed, but such repeal shall not affect existing rights. Applications for patents for mining claims now pending may be prosecuted to a final decision in the General Land Office; but in such cases where adverse rights are not affected thereby, patents may issue in pursuance of the provisions of this act; and all patents for mining claims heretofore issued under the act of July 26th, 1866, shall convey all the rights and privileges conferred by this act where no adverse rights exist at the time of the passage of this act.

Sec. 10. That the act entitled "an act to amend an act granting the right of way to ditch and canal owners over the public lands and for other purposes," approved July 9th, 1870, shall be and remain in full force, except as to the proceedings prescribed by Sections 6 and 7 of this act for obtaining patents to vein or lode claims; but where said placer claims shall be upon surveyed lands, and conform to legal subdivisions, no further survey or plat shall be required. All placer mining claims hereafter located shall conform as near as practicable with the United States system of public land surveys and the rectangular subdivisions of such surveys, and no such location shall include more than twenty acres for each individual claimant; but where placer claims cannot be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed lands; Provided, That proceedings now pending may be prosecuted to their final determination under existing laws, but the provisions of this act, when not in conflict with existing laws, shall apply to such cases; Provided, also, That where by the segregation of mineral lands in any legal subdivisions a quantity of agricultural land less than forty acres remains, said fractional portion of agricultural land may be entered by any party qualified by law for homestead or pre-emption purposes.

Sec. 11. That where the same person, association or corporation is in possession of a placer claim, and also a vein or lode included within the boundaries thereof, application shall be made for a patent for the placer claim, with the statement that it includes such vein or lode, and in such case (subject to the provisions of this act and the act entitled "an act to amend an act granting the right of way to ditch and canal owners over the public lands, and for other purposes," approved July 9th, 1870) a patent shall issue for the placer claim, including such vein or lode, upon the payment of \$5 per acre for such vein or lode claim, and 25 feet of surface on each side thereof. The remainder of the placer claim, or any placer claim not embracing any vein or lode claim, shall be paid for at the rate of \$2,50 per acre, together with all costs of proceedings; and where a vein or lode, such as is described in the second section of this act, is known to exist within the boundaries of a placer claim, an application for a patent for such placer claim which does not include an application for the vein or lode claim shall be construed as a conclusive declaration that the claimant of

the placer claim has no right of possession of the vein or lode claim; but where the existence of a vein or lode in a placer claim is not known, a patent for the placer claim shall convey all valuable mineral and other deposits within the boundaries thereof.

Sec. 12. That the Surveyor-General of the United States may appoint in each land district containing mineral lands as many competent surveyors as shall apply for appointment to survey mining claims. The expenses of the survey of the vein or lode claims, and the survey and subdivision of placer claims into smaller quantities than 160 acres, together with the costs of publication of notices, shall be paid by the applicants, and they shall be at liberty to obtain the same at the most reasonable rates, and they shall also be at liberty to employ any United States Deputy Surveyor to make the survey. The Commissioner of the General Land Office shall also have power to establish the maximum charges for surveys and publication of notices under this act; and in case of excessive charges for publication he may designate any newspaper published in a land district where mines are situated for the publication of mining notices in such district, and fix the rates to be charged by such paper; and, to the end that the Commissioner may be fully informed on the subject, each applicant shall file with the Register a sworn statement of all charges and fees paid by said applicant for publication and surveys, together with all fees and money paid the Register and Receiver of the Land Office, which statement shall be transmitted, with the other papers in the case, to the Commissioner of the General Land Office. The fees of the Register and Receiver shall be five dollars each for filing and acting upon each application for patent or adverse claim filed, and they shall be allowed the amount fixed by law for reducing testimony to writing, when done in the Land Office; such fees and allowances to be paid by the respective parties; and no other fees shall be charged by them in such cases. Nothing in this act shall be construed to enlarge or affect the rights of either party in regard to any property in controversy at the time of the passage of this act, or of the act entitled "an act granting the right of way to ditch and canal owners over the public lands, and for other purposes," approved July 26th, 1866, nor shall this act affect any right acquired under said act; and nothing in this act shall be construed to repeal, impair or in any way affect the provisions of the act entitled "an act granting to A. Sutro, the right of way and other privileges to aid in the construction of a draining and exploring tunnel to the Comstock lode, in the State of Nevada," approved July 25th, 1866.

Sec. 13. That all affidavits required to be made under this act or the act of which it is amendatory, may be verified before any officer authorized to administer oaths within the land district where the claims may be situated, and all testimony and proofs may be taken before any such officer, and when duly certified by the officer taking the same shall have the same force and effect as if taken before the Register and the Receiver of the Land Office. In case of contest as to the mineral or agricultural character of land, the testimony and proofs may be taken as herein provided on personal notice of at least ten days to the opposing party; or if said party cannot be found, then by publication of at

least once a week for thirty days in a newspaper to be designated by the Register of the Land Office as published nearest to the location of such land, and the Register shall require proof that such notice has been given.

Sec. 14. That where two or more veins intersect or cross each other priority of title shall govern, and such prior location shall be entitled to all ore or mineral contained within the space of intersection; provided, however, that the subsequent location shall have the right of way through said space of intersection for the purposes of the convenient working of the said mine; and provided also that when two or more veins unite the oldest or prior location shall take the vein below the point of union, including all the space of intersection.

Sec. 15. That where non-mineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such non-adjacent surface ground may be embraced and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable under this act to veins or ledges; provided that no location hereafter made of such non-adjacent land shall exceed five acres, and payment for the same must be made at the same rate as fixed by this act for the superficies of the lode. The owner of a quartz-mill or reduction-works, not owning a mine in connection therewith, may also receive a patent for his mill-site, as provided in this section.

Sec. 16. That all acts and parts of acts inconsistent herewith are hereby repealed; provided that nothing contained in this act shall be construed to impair in any way rights or interests in mining property acquired under existing laws.

The Dominion sells mining ground at \$1 per acre (clause 41). The United States sells placer mining ground at \$2 50 per acre (section 11). Either Government gives a Patent or Crown Grant.

I desire to buy or lease mining ground for the purpose of bringing capital, machinery, money and men into this colony. I am willing and prepared to pay for it. I want such rights of mining lands as I can buy for cash from other Governments. If liberal laws are passed mining men from San Francisco, London and other mining markets will come to British Columbia to buy mining properties. As long as the law remains as at present the free miners have nothing to sell. Change the law and by helping the miner you aid the capitalist. Their interests in many things are the same. I am aware that the Government intended to pass a law regarding Silver Mines. But that although proper will not help the gold miner. I believe there are about 100 gold miners to 1 silver miner. The United States mining law includes gold, silver, cinnabar, lead, tin, copper, or other valuable deposits or veins. See clause 37, section 2, Dominion Law.

Raymond's U. S. Report, page 216, remarks regarding taxes and titles:

"The benefits derived by government from the mines must be indirect. No tax for revenue should be laid on mining any more than on agriculture. Taxes sufficient to cover the cost of the

necessary supervision of the mining interest are, properly enough, levied in all nations except the United States. We had a bullion tax, and spent none of it for the miners; now we have no tax, which is better, at least than the former system."

"The question, whether the government should sell the mines or only license their working, is to be answered, in this country, in favor of the first alternative, unless we are prepared to establish and administer a vast mining system over our scattered districts. I think the true course is to alienate the mines from the United States as soon as possible and to do this upon a general and uniform policy, preventing the necessity of special legislation."

"The manner of conveying titles to the mines should be so regulated as to avoid as far as possible all litigation in future, and at the same time encourage mining. For, it must be remembered, in surrendering the title to the mines wholly to the patentee, we remove that stimulus to their development which the conditions of the possessory title formerly maintained; and we can only rely on the natural laws of supply and demand to secure the continued working of the mines. According to those laws, profit limits production, and mining must be profitable to the individual, if it is to be continued for any length of time. Now, passing a title to the miner which is indefinite or ambiguous, and brings him into conflict with his neighbour, is laying a heavy burden on mining, and so, without gain to any one, diminishing the product of bullion."

If the Government will sell Crown Grants for silver mines, how can they refuse to sell placer mines to the Free Miner?

Your neighbors bid high with liberal laws for the emigrant, miner and capitalist. If British Columbia desires them let her do likewise. Remember, that fully forty thousand miners have visited this country. You did not bid high enough to keep them and lost them. British Columbia is still bidding low.

I again ask your influence to aid in having the "Gold Mining Ordinance, 1867," repealed and a liberal law passed in its place, which will aid the Free Miner, and through him every interest in the Province, by attracting capital and capitalists to our shores.

I make this appeal to you, for if I do not, I know of no one who will.

I have the honor to be,

Your obedient servant,

CHARLES C. LANE.

VICTORIA, B. C., Dec. 24th, 1872.

