



CHAPTER 35

An Act to amend the Quebec Mining Act

[Assented to, the 20th of March, 1941]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 3 of the Quebec Mining Act (Revised Statutes, 1925, chapter 80), as amended by the acts ^{R. S., c. 80, s. 3, am.} 16 George V, chapter 27, section 1; 18 George V, chapter 32, section 1; 20 George V, chapter 41, section 3; 22 George V, chapter 42, section 1; 24 George V, chapter 29, section 1, and 1 George VI, chapter 41, section 1, is again amended by striking out the words: “, marl, ochres” and the word: “, soap-stone”, in the eleventh line of paragraph 2 thereof.

2. Section 4 of the said act, as amended by the acts ^{Id., s. 4, am.} 16 George V, chapter 27, section 2, and 22 George V, chapter 42, section 2, is again amended by adding thereto, at the end of subsection 1 thereof, the following words:

“and in the case of concessions made prior to the 20th of March, 1941, it shall extend to marl, ochres and soap-stone”.

3. Section 28 of the said act, as replaced by the ^{Id., s. 28, am.} act 1 George VI, chapter 41, section 11, and amended by the act 3 George VI, chapter 51, section 1, is again amended by adding thereto, at the end thereof, the following paragraph:

“No one may so obtain the right to extract peat ^{Special license for} or marl. The right to exploit such minerals may be ^{peat or marl.}

granted by a special license issued upon the conditions which the Lieutenant-Governor in Council may deem fit to fix."

R. S., c. 80,
s. 49, am.

4. Section 49 of the said act, as amended by the acts 16 George V, chapter 27, section 10, and 1 George VI, chapter 41, section 23, is again amended by adding thereto the following paragraph:

Staking in
Magdalen
Islands.

"In the Magdalen Islands, staking may be done as in unsurveyed territory."

R. S., c. 80,
s. 56, am.

5. Section 56 of the said act, as replaced by the act 18 George V, chapter 32, section 6, and amended by the acts 21 George V, chapter 45, section 1; 1 George VI, chapter 41, section 32, and 3 George VI, chapter 51, section 13, is again amended:

a. By replacing the word: "fifteen", in the fourth line of the first paragraph thereof, by the word: "twenty";

b. By replacing the word: "sixteenth", in the fifth line of the said first paragraph thereof, by the word: "twenty-first";

c. By replacing the word: "thirty", in the first line of the second paragraph thereof, by the word: "sixty".

Id., s. 61, am.

6. Section 61 of the said act, as amended by the acts 16 George V, chapter 27, section 14; 18 George V, chapter 32, section 8; 19 George V, chapter 26, section 5; 1 George VI, chapter 41, section 39, and 3 George VI, chapter 51, section 14, is again amended:

a. By inserting therein, after the word: "party", in the ninth line (instead of the sixth line) of subsection 2 thereof, the words: ", provided, however, that the license be not in the possession of a third holder in good faith, under a transfer registered within the past five years in conformity with section 31 of this act";

b. By replacing the first of the two paragraphs added to the said section by the act 3 George VI, chapter 51, section 14, by the following:

Reduction of
annual rent.

"The Lieutenant-Governor in Council may, during a period of four years counting from the 1st of July, 1939, reduce to twenty-five cents per acre the annual rent exigible for the issuing or the renewal of a development license, upon the condition that the applicant has in good faith, and within the delay prescribed, performed all the work required by sections 58 and 61. A person who has obtained the delay contemplated in section 61b

for the performance of such work shall not be entitled to such reduction."

7. Section 112*h* of the said act, as enacted by the act 22 George V, chapter 42, section 3, is replaced by the following: R. S., c. 80, s. 112*h*, replaced.

"112*h*. The Minister, with the authorization of the Lieutenant-Governor in Council, may take such measures as he may deem proper for the draining and sanitation of peat-bogs and may acquire any right of way and drainage servitude required, upon complying with the provisions of the preceding sections." Measures for draining, etc., of peat-bogs, authorized.

8. Notwithstanding the provisions of the *Quebec Mining Act*, every holder of a claim or of a development license, on active service during the present war, shall be exempt from the obligation to perform the work required by section 61 of the said act, if he makes written application therefor to the Minister. Persons who obtain their claim or license after enlistment for active service shall not be entitled to the benefit of this privilege. Exemption in favour of claim-holders on active service.

9. The provision enacted by section 4 of this act shall have the effect of validating claims and development licenses obtained after staking done in the past in the manner allowed by such provision. Validation.

10. This act shall come into force on the day of its sanction. Coming into force.

