



CHAPTER 32

An Act to amend the Quebec Mining Act

[Assented to, the 15th of March, 1928]

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 Stat. R. S., c. 80, utes, 1925, chapter 80), as amended by the act 16 George s. 3, am. V, chapter 27, section 1, is again amended by adding thereto, after the word: "minerals", in the fifth line of paragraph 1 thereof, the words: "or any other work which the Minister may consider useful for developing a mining concession, or a mining region".

2. The said act is amended by inserting therein, after Id., ss. 24a, section 24 thereof, the following sections: 24b, added.

"24a. The water powers capable of supplying one hundred and fifty horse-power, or over, comprised within the territory of a mining concession, are reserved to the Crown. Water powers reserved to Crown.

"24b. The Crown has full power to remove, from the mining concessions and lands under mining license, the sand, stone and gravel which it may need for the construction or repair of its roads. Power of Crown to remove sand, etc.

3. Section 41 of the said act, as amended by the act 16 George V, chapter 27, section 7, is again amended by adding thereto, after the word: "metals", in the eighth line of the first paragraph thereof, the words: "The Minister may, for good and sufficient reasons, extend the delay during which the work shall be done." R. S., c. 80, s. 41, am.

R. S., c. 80,
s. 48, am.

4. Section 48 of the said act, as amended by the act 16 George V, chapter 27, section 9, is again amended:

Staking of
claim.

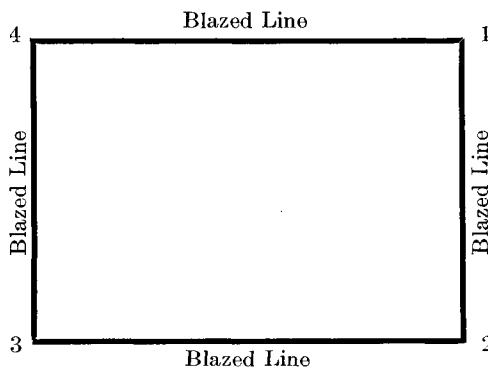
a. By striking out paragraph 1 thereof;

b. By replacing paragraph 3 thereof by the following:

"3. By putting on stake number 1, in very legible characters, the name of the discoverer, the number of his certificate and the date of the staking;"

c. By striking out the words: "including that connecting the discovery stake with stake number 1", in the first and second lines of paragraph 4 thereof;

d. By replacing the diagram at the end of the section by the following:



R. S., c. 80,
s. 53a, am.

5. Section 53a of the said act, as enacted by the act 16 George V, chapter 27, section 12, is amended:

a. By inserting therein, after the word: "days", in the second line of the first paragraph thereof, the words: "be cancelled by the Minister or";

b. By replacing the second paragraph thereof by the following:

Cancellation
of claim ad-
mitted
through
fraud, etc.
Appeal.

"Whenever a claim has been admitted through fraud or false representations, it may, at any time, be cancelled by the Minister, or by the Mining Commissioner at the request of the Minister or any other interested party.

When the cancellation has been effected by the Minister, any interested party may appeal to the Superior Court within thirty days from the decision, by means of a mere petition served upon the Minister and upon the other interested parties. The judgment on such petition shall be final and without appeal."

R. S., c. 80,
s. 56, re-
placed.
Delay to

6. Section 56 of the said act is replaced by the following:

"**56.** Any land which has formed the object of a claim or of a mining license which has been allowed to lapse

or has been abandoned can only be restaked after a delay ^{restake} of fifteen days from the abandonment or expiration of the ^{claim, etc.} claim or license, but cannot be restaked by the same person nor on behalf of the same person, firm or company which previously held it.

If, however, such land remains free for thirty days from the date of the abandonment or expiration of the claim or ^{Claim again} license, it may, after such delay, be again taken by or on ^{taken by} behalf of the former holder. ^{former holder.}

7. Section 58 of the said act, as amended by the act ^{R. S., c. 80,} 16 George V, chapter 27, section 13, is again amended: ^{s. 58, am.}

a. By replacing the word: "six", in the first line of the first paragraph thereof, by the word: "twelve";

b. By striking out the words: "Such delay shall not run during the months of January, February, March, April and December", in the fourth, fifth and sixth lines of the said first paragraph thereof.

8. Section 61 of the said act, as amended by the act ^{Id., s. 61,} 16 George V, chapter 27, section 14, is again amended. ^{am.}

a. By replacing subsection 2 thereof by the following:

"2. Such license shall be valid for one year from the date ^{Duration of} of its issue, and shall be transferable only with the consent ^{license, etc.} of the Minister. If it has been issued in error it may, within ^{Cancellation,} the next sixty days, be cancelled by the Minister or by the ^{where} Mining Commissioner at the request of the Minister or of ^{error.} any other interested party. If it has been issued through ^{Id., where} fraud or false representations, it may, at any time, be can- ^{fraud.} celled by the Minister, or by the Mining Commissioner at the request of the Minister or of any other interested party. When the cancellation has been effected by the Minister, ^{Appeal.} any interested party may appeal to the Superior Court within thirty days from the decision, by means of a mere petition served upon the Minister and upon the other interested parties. The judgment on such petition shall be final and without appeal."

b. By adding thereto, after subsection 6 thereof, the following subsections:

"7. When adjacent lands are partly under mining con- ^{Renewal} cession and partly under mining license in the name of ^{work where} the same person, firm or company, and may be considered ^{lands are un-} as one and the same enterprise, the Minister may permit ^{der mining} all the work necessary for the renewing of the license to be ^{concession} done on the lands covered by the mining concession. ^{and license.}

"8. When the licensee has omitted renewing his license ^{Renewal} within the delays prescribed by this section, the Minister ^{omitted} may, nevertheless, grant the renewal of such license, pro- ^{within} delays.

Application for renewal. vided, however, that its renewal be applied for within twenty-five days from its expiration. Such application shall be accompanied by:

Formalities. *a.* An affidavit giving the reasons for the delay in asking for the renewal of the license;

b. An affidavit establishing that the applicant has done in good faith, in the preceding year, all work on the land required by the act;

c. A sufficient sum to pay the fee of ten dollars and an annual rent of two dollars per acre.

Sum to reimburse expenses.

The Minister may exact, in addition, from the applicant, any other sum necessary to reimburse the expenses made by the person or persons who, after the expiration of the license, may have staked out the land which had formed the object thereof."

Provisions] applicable.

9. The provisions of this act, except, however, those of section 24*a* of the Quebec Mining Act, as enacted by section 2 of this act, and of sections 4 and 6 of this act, shall apply to claims and mining licenses in force on the 15th day of March, 1928, and also to mining concessions not yet confirmed by letters patent.

Coming into force.

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