

CHAP. 17

An Act to amend the Quebec Mining Law

[Assented to 4th June, 1910]

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

1. Article 2098 of the Revised Statutes, 1909, is amended R.S.Q., 2098, amended. by replacing paragraph 2 by the following :

"2. The words "mines" and "minerals" mean and include all "Mines", "minerals." stone, rock, alluvial or other earth, containing gold, silver, tin, copper, iron, phosphate of lime, asbestos, manganese felspar, kaolin or any mineral substance of appreciable value. Nevertheless building stone and stone used for sculpture, limestone, calcite used as flux, mill stones and grindstones, sand and gravel for building purposes, gypsum, clay used for building purposes, fire brick, pottery, ceramic substances, marl, ochres, mineral waters, soap-stone, infusory earths or tripoli, fuller's earth and peat, when such minerals are found separate from other substances in the lands of private persons, are neither mines nor minerals within the meaning of the above."

2. The following article is inserted in the said statutes, Id., 2098a, enacted. after article 2098 :

"**2098a.** 1. The exception contained in paragraph 2 of Scope of exception in par. 2 of art. 2098. article 2098, applies to surface concessions made in the past or to be made in the future, both in the seigniories and in the townships.

2. The working of quarries, and of the minerals declared to Working of quarries, &c. belong to the surface owner by paragraph 2 of article 2098, remains subject to the provisions of article 2163 respecting statistics, and the mining licenses for such minerals are not renewable."

3. Article 2102 of the said statutes, is amended by striking Id., 2102, amended. out the last paragraph.

4. Article 2104 of the said statutes, is replaced by the following : Id., 2104, replaced.

"**2104.** If while a mine of one or more of the minerals Purchase of Crown minerals by surface owner. belonging to the proprietors in virtue of any provision of the mining law or of a mining concession, is being worked, other minerals are found belonging to the Crown, the proprietor

so working in good faith, may within three months from being put in default so to do by the Department, obtain the grant thereof in preference to any other person, for the price and upon the conditions established for each of such minerals respectively. If the proprietor so working has already paid for inferior metals, he need only make up the difference between such price and that of superior metals."

Id., 2105,
amended.

5. Article 2105 of the said statutes, is amended by inserting the following paragraph :

Basis of as-
bestos
royalty.

"Nevertheless the royalty on asbestos, when imposed, shall be levied by taking as a basis the quantity and value of the asbestos produced, deducting such of the cost of the extraction and treatment of the asbestos bearing rock as the mining inspector may think just and reasonable."

Id., 2106,
amended.

6. Article 2106 of the said statutes is amended by adding after the word "sections" in the second line of paragraph 1, the words "of not less than twenty chains wide."

Id., 2114,
amended.

7. Article 2114 of the said statutes, is amended:

a. By adding after the word "railway" in the eighth line, the words "by the nearest road upon which vehicles can travel";

b. By adding at the end thereof, the following: "after deducting the proportion already paid by the purchaser for a mining license, if any, upon the same land. The fee of ten dollars for the issue of the license shall not be included in the amount of the reduction."

Id. 2120,
amended.

8. Article 2120 of the said statutes is amended by adding thereto the words: "on paying the value of the white and red pine and of the spruce."

Id., 2126,
amended.

9. Article 2126 of the said statutes, is amended by inserting after the word "claims" in the second line of the first paragraph, the words "of not less than twenty chains in width."

Id., 2127,
amended.

10. Article 2127 of the said statutes, is amended by inserting after the word "itself" in the sixth line, the words "subject to the right of marking out such boundaries again if they are no longer visible."

Id., 2131,
amended.

11. Article 2131 of the said statutes, is amended :

a. By replacing the word "four" in the first line, by the word "six."

b. By adding thereto the following paragraph :

Staking out
of land cover-

"The land covered by the mining license shall be staked like that which is the subject matter of a claim, and by ob-

...serving the same formalities, except that the inscription on the pickets, shall contain besides the name of the licensee, the number and date of the license, and the initial letters M. L. (*mining license*) or P. E. (*permis d'exploitation*) in large type. If the license is subsequent to the establishment of a claim, the same pickets may be used by making the necessary additions, as above mentioned."

12. The following article is inserted in the said statutes after article 2131. Id., 2131a, enacted.

"**2131a.** Every mining inspector or other official appointed in virtue of the mining law, as well as every assistant of such inspector or official, who discovers minerals of value on lands the mining rights of which belong to the Crown, shall stake or mark, on behalf of the Crown, a claim of the form and area prescribed by law, and may proceed to such staking without being the holder of a miner's license. Staking of claims by mining inspector, &c.

Such staking is effected in the manner required by law in ordinary cases, but instead of bearing the number of a miner's certificate, the witness posts shall bear the inscription "for the Crown." How done.

The lands or claims staked out "For the Crown," may be worked, leased or sold by the Crown, or worked by private persons according to agreements or arrangements between such private persons and the Crown, for the prices and upon the terms and conditions fixed by order in council. Working, &c., of such claims.

The above provision shall not affect mining grants for which letters patent have not been given, nor mining licenses in force on the 4th day of June 1910, covering any mineral substances which are excepted under paragraph 2 of article 2098 on private lands, except that the mining licenses shall not be renewable. Certain grants not affected, &c.

13. Article 2134 of the said statutes is amended by adding after the word "acres" in the second line of paragraph 3 the words "along a width of not less than twenty chains." Id., 2134, amended.

14. Article 2198 of the said statutes, is amended : Id., 2198, amended.

a. By replacing the words : "twenty-five" in the fourth line, by the words : "two hundred."

b. By replacing the words : "one month" in the fifth line, by the words : "six months."

15. Article 2242 of the said statutes is replaced by the following : Id., 2243, replaced.

"**2242.** In valuing taxable property in a municipality where there is land containing mines which are being worked the valuator shall value such real estate without regard to the

increased value caused by the existence of mines or minerals, wells, excavations and tunnels, provided that no mining property, even if on the surface, shall be subject to taxation during the first five years from the commencement of such working or from the resumption of operations after a stoppage of five consecutive years."

Id., 2243*a*, enacted. **16.** The following article is inserted in the said statutes after article 2243 :

Price of mining concessions in certain territory. " **2243*a*.** For five years from the first day of June, 1910, the Lieutenant-Governor in Council may, on account of the distance and the difficulties resulting from the short seasons, fix for that part of the Gulf of St. Lawrence from the river Goynish, towards the east, the price of mining concessions containing feriferous sand, provided such price be not less than four dollars per acre."

Coming into force. **17.** This act shall come into force on the day of its sanction.

CHAP. 18

An Act to amend the Quebec Game Laws

[Assented to 4th June, 1910]

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

R.S.Q., 2313, amended. **1.** Article 2313 of the Revised Statutes, 1909, is amended by replacing the figures "1910" in the second line of paragraph 1 by the figures "1912."

Id., 2315, amended. **2.** Article 2315 of the said statutes is amended by replacing the figures "1910" in the third line by the figures "1912."

Coming into force. **3.** This act shall come into force on the day of its sanction.
