

C A P . X I .

An act to amend the Gold Mines Act.

[Assented to 31st October, 1879.]

Preamble.

WHEREAS it is important to facilitate gold mining in the province of Quebec, and that for that purpose, it is advisable to amend the act 33 Vict., chap. 29 of the statutes of this Province; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

S 2, 33 V., c.
29.

1. Section 2 of said act is repealed, and the following substituted in lieu thereof:

Right of way
for purpose of
of working
gold mines.

"2. Any corporation or person, having the mining rights on any real property, in any gold mining division of this province, or any holder of a licence to mine for gold, with the consent of the owner of the soil, and of the owner of the mines, on any real property in any such gold mining division, may, after due notice to all the owners of the lands whose interests may be affected by the works, which such corporation or person, or holder of such licence, seeks to make, upon application to the gold mining Inspector of such division, clearly setting out the nature of such works, and upon the report of such Inspector, obtain from the Commissioner of Crown Lands, who may grant or reject such application, a right of way, and also the right to execute such works on the lands of adjoining proprietors, as may enable such corporation, person or holder of such licence, having such mining rights, to work on his mining location and to extract all the precious metals from such mining location, after having paid unto such contiguous proprietors, to the satisfaction of such gold mining Inspectors, all damages to be incurred by such adjoining owners, and to be determined in the manner and form hereinafter enacted;

Payment of
damage.

Proviso.

Provided, however, that nothing contained in this act, shall be construed as giving to such corporation, person or holder of such licence, the right to divert the course of any spring, stream or river so as to deprive the inferior riparian proprietors of the use of the waters of such spring, stream or river.

Responsibili-
ty for dam-
ages.

2. Every licensee shall be responsible, for all damages to property, arising from such work, towards such land-owners as may suffer thereby.

Deposit of
amount of
damages in

3. No works shall be carried out under the present act, unless the amount of actual damages, which shall have

been fixed by the gold mines Inspector in virtue of the preceding section, shall have been paid, together with the costs taxed by the said Inspector, into the hands of the said Inspector who shall give a receipt therefor, and shall without delay authorize the construction of the works applied for.

4. The gold mines Inspector shall, without delay, give notice to the parties interested, that such deposit is in his hands at the disposal of the proprietor, and if, within the fifteen days following such notice, no person has appealed from his decision, in the manner herein-after set forth, such deposit shall be declared sufficient and shall be paid to the proprietor at his request.

5. If any of the parties interested, considers himself aggrieved by the decision of the gold mines Inspector, rendered in virtue of the present act, within the fifteen days following the notice of such deposit as hereinabove set forth, the damages shall be assessed by arbitration in the manner set forth in sections three, four and five of the Gold Mines Act, 1870, in so far as they shall not be inconsistent with the provisions of the present act.

6. When the works to be done are to be carried out on Crown Lands, the application for the necessary authorization, shall be made to the Commissioner of Crown Lands, who shall authorize the construction of such works on the conditions which he may deem it necessary to impose, or shall refuse to authorize them, and the decision of the Commissioner of Crown Lands shall be final and without appeal.

7. The present act shall be known as the : "Gold Mines amendment act of 1879," and shall come into force on the day of its sanction

C A P . X I I .

An act respecting Coroners' Inquests.

[Assented to 31st October, 1879.]

WHEREAS it is expedient to put an end to the holding of useless inquests in the Province of Quebec, in the case of sudden deaths arising from accidents and without the commission of any crime ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Preamble.