

1913-023

YUKON PLACER MINING ACT

CONSOLIDATED FOR OFFICE PURPOSES

OTTAWA
GOVERNMENT PRINTING BUREAU
1913

AN ACT RESPECTING PLACER MINING IN THE YUKON
TERRITORY

CHAPTER 64, R.S.C., 1906

*As amended by Chapter 54 of 6-7 Edward VII., Chapter 77 of 7-8 Edward
VII., and Chapter 57 of 2 George V.*



CHAPTER 64 R.S.C. 1906.

An Act respecting Placer Mining in the Yukon Territory, as amended by chapter 54, of 6-7 E. VII., chapter 77 of 7-8 E. VII., and by chapter 57 of 2 George V.

SHORT TITLE.

1. This Act may be cited as *The Yukon Placer Mining Act*, 6 E. VII., c. 39, s. 1. Short title.

INTERPRETATION.

2. In this Act, unless the context otherwise requires,—
- (a) 'claim' means any parcel of land located or granted for placer mining, and 'mining property' includes besides claims, any ditches or water rights used for mining thereon, and all other things belonging thereto or used in the working thereof for mining purposes; Definitions.
'Claim.'
'Mining property.'
 - (b) 'Commissioner,' 'Council' and 'Commissioner in Council,' respectively, have the same meaning as they have in the Yukon Act; 'Commissioner.'
'Council.'
'Commissioner in Council.'
 - (c) 'creek' means and includes all natural watercourses, whether usually containing water or not; but does not include streams which may be considered rivers under the provisions of the dredging regulations, that is, streams having an average width of one hundred and fifty feet. Par. (c) of S. 2, c. 64 R.S., as amended by 7-8 E. VII., c. 77, s. 1. 'Creek.'
 - (d) 'ditch' includes a flume, pipe, race or other artificial means for conducting water by its own weight, to be used for mining purposes; 'Ditch.'
 - (e) 'gold commissioner,' 'mining recorder' and 'mining inspector' mean, each of them, the officer so named, appointed under this Act and acting within the limits of his jurisdiction; 'Gold commissioner.'
'mining recorder.'
'mining inspector.'

'Legal post.'

(f) 'legal post' makes a stake having a diameter throughout of not less than five inches, standing not less than four feet above the ground and flatted on two sides for at least one foot from the top, each of the sides so flatted measuring at least four inches across the face, and includes also any stump or tree cut off and flatted or faced to the aforesaid height and size. Par. (f) of S. 2, c. 64 R.S., as amended by 7-8 E. VII., c. 77, s. 2.)

'Mine.'

(g) 'mine' means any natural stratum or bed of earth, soil, gravel or cement, mined for gold or other precious minerals or stones;

'Mining' and 'placer mining.'

(h) 'mining' or 'placer mining' includes every mode and method of working whatsoever whereby earth, soil, gravel or cement may be removed, washed, shifted or refined or otherwise dealt with, for the purpose of obtaining gold or such other minerals or stones, but does not include the working of rock in situ;

'Person.'

(i) 'person' includes a female as well as a male person;

'Territory.'

(j) 'Territory' means the Yukon Territory.

Right of Commissioner to construct roads.

2. Nothing herein contained shall be construed to limit the right of the Commissioner, from time to time, to lay out public roads across, through, along or under any ditch, water privilege or claim, without compensation.

Application of Act to hydraulic mining lands.

3. Notwithstanding anything in this Act contained, its provisions shall not apply to any lands demised or leased for hydraulic mining purposes by any lease granted before the first day of August, one thousand nine hundred and six, which has been heretofore or which may be hereafter cancelled by direction of the Minister of the Interior or under an order of the Governor in Council, until such lands have been brought under such provisions by order of the Governor in Council. 6 E. VII., c. 39, ss. 2, 90 and 93.

Regulations as to dredging leases.

4. Nothing in this Act shall prevent the enactment by the Governor in Council of regulations under which dredging leases may be issued of the whole of the bed of any river in the Territory. 6-7 E. VII., c. 54, s. 1.

MINING OFFICIALS.

Mining officials.

3. The Governor in Council may appoint gold commissioners and acting and assistant gold commissioners for the purpose of carrying out the provisions of this Act; but mining recorders and mining inspectors and deputies thereto shall be appointed by the commissioner, subject to the approval of the Governor in Council. 7-8 E. VII., c. 77, s. 3.

Mining districts.

4. The Commissioner may, by proclamation published in the Yukon official gazette, divide the territory into districts

to be known as mining districts, and may, as occasion requires, change the boundaries of such districts. 6 E. VII., c. 39, s. 72, as amended by 7-8 E. VII., c. 77, s. 4.

5. The gold commissioner shall have jurisdiction within such mining districts as the Commissioner directs, and within such districts shall possess also all the powers and authority of a mining recorder or mining inspector. 6 E. VII., c. 39, s. 73. Jurisdiction of gold commissioner.

6. A mining recorder shall be appointed in each mining district, and within such district shall possess also all the powers and authority on a mining inspector. 6 E. VII., c. 39, s. 74. Mining recorder.

7. Every mining recorder shall keep the following books, to be used for placer mining entries:— Books to be kept by mining recorder.

- (a) Record of applications;
- (b) Record of refused applications;
- (c) Record book;
- (d) Record of abandonments; and
- (e) Record of documents received;

and shall record all documents relating to mining property which are brought to him for record, and file all documents relating to such claims which are brought to him to be filed. 6 E. VII., c. 39, s. 75.

2. In case a caveat is filed against any claim, such caveat shall lapse unless before the expiration of one month from the receipt thereof by the mining recorder proper proceedings in a court of competent jurisdiction have been taken to establish the caveator's title to the interests specified in the caveat. 6-8 E. VII., c. 77, s. 5. Filing of caveat.

3. A caveat is any instrument claiming any interest whatever in the claim with reference to which it is filed, but does not include any instrument creating any sale, mortgage or other disposition of the property. 7-8 E. VII., c. 77, s. 5. Caveat defined.

8. Every entry made in any of the mining recorder's books shall show the date upon which such entry is made. 6 E. VII., c. 39, s. 76. Date of entry.

9. All books of record and documents filed shall, during office hours, be open to public inspection free of charge. 6 E. VII., c. 39, s. 77. Books open to public.

10. Every copy of, or extract from, any entry in any of the said books, or of any document filed in the mining recorder's office, certified by the mining recorder to be a true Certified copies as evidence.

copy or extract, shall be received in any court as evidence of the matters therein contained. 6 E. VII., c. 39, s. 78.

Fees.

11. Before issuing any grant, or making any entry in any book of record, or filing any document, or making any copy or extract therefrom, the mining recorder shall collect the fees payable in respect thereof, as set out in schedule D to this Act. 6 E. VII., c. 39, s. 79.

Money deposits.

12. The mining recorder shall receive all deposits of money by this Act directed to be made with him. 6 E. VII., c. 39, s. 80.

Monthly statement.

13. A statement of the grants issued and fees collected shall be rendered by the mining recorder to the gold commissioner at least every month, and such statement shall be accompanied by the amount collected, or, if the money has been deposited to the credit of the Receiver General, by the deposit receipts. 6 E. VII., c. 39, s. 81.

Jurisdiction of mining inspector.

14. A mining inspector shall have jurisdiction within such mining districts as the Commissioner directs. 6 E. VII., c. 39, s. 82.

Summary powers of inspector.

15. The mining inspector may summarily order any mining works to be so carried on as not to interfere with or endanger the safety of the public or any employees of such mining works, or any public work or highway, or any mining property, mineral claim, bed-rock drain or bed-rock flume; and any abandoned works may, by his order, be either filled up or guarded to his satisfaction.

Appeal to gold commissioner.

2. Any person affected by an order of the mining inspector under this section may, within ten days, appeal therefrom to the gold commissioner. 6 E. VII., c. 39, s. 83.

Examination of claims.

16. The gold commissioner, mining recorder or mining inspector, or the deputy of any such officer, or any judge of the Territorial Court, or any one deputed by any of them, may enter into or upon and examine any claim or mine. 6 E. VII., c. 39, s. 84.

RIGHT TO ACQUIRE CLAIMS.

Lands which may be prospected and mined.

17. Any person over, but not under, eighteen years of age may enter for mining purposes, locate, prospect and mine for gold and other precious minerals or stones upon any lands in the Territory, whether vested in the Crown or otherwise, except lands within the boundaries of a city, town or village as defined by any ordinance of the Commissioner in Council,

unless under regulations approved by the Governor in Council, or lands occupied by a building, or within the curtilage of a dwelling house or, lawfully occupied for placer mining purposes, or which form part of an Indian reserve. 6 E. VII., c. 39, s. 3, as amended by s. 6, c. 77, 7-8 E. VII. Restrictions.

18. No person shall enter for mining purposes, locate, prospect or mine upon lands owned or lawfully occupied by another until he has given adequate security, to the satisfaction of the mining recorder, for any loss or damage which may be thereby caused, and persons so entering, locating prospecting or mining upon any such lands shall make full compensation to the owner or occupant of such lands for any loss or damage so caused, such compensation, in case of dispute, to be determined by a court having jurisdiction in mining disputes. 6 E. VII., c. 39, s. 4. Security for damages to be given before entry on lands.
Disputed compensation determined by court.

19. The surface rights to any claim shall not be granted to any person other than the owner of the claim until the owner is given an opportunity to acquire the said rights by notice in writing from the Crown timber and land agent, served personally on the said owner or his agent. 6 E. VII., c. 39, s. 5. Owner of claim to have first rights to surface.

SIZE, FORM, ETC., OF CLAIMS.

20. A claim on a creek shall not exceed five hundred feet in length, measured along the base line of the creek, established or to be established by a Government survey, as hereinafter provided. Nature and size of claims.

2. The rear boundaries of the claim shall be parallel to the base line, and shall be defined by measuring one thousand feet on each side of such base line. Rear boundaries parallel to base line.

3. In the event of the base line not being established, the claim may be staked along the general direction of the valley of the creek, but in such case, when the base line is established, the boundaries thereby defined shall be conformed to. 6 E. VII., c. 39, s. 6. If base line not established.

21. Claims situate elsewhere than on a creek shall not exceed five hundred feet in length parallel to the base line of the creek towards which it fronts by one thousand feet. 6 E. VII., c. 39, s. 7, as amended by s. 7 of c. 77, 7-8 E. VII. Claims elsewhere than on a creek.

22. A claim fronting on a creek or river shall be staked as nearly as possible parallel to the general direction of the valley of the creek or river, and shall conform to the boundaries which the base line, when established, shall define. 6 E. VII., c. 39, s. 8, as amended by s. 8 of c. 77, 7-8 E. VII. Claims fronting on a creek.

Recorder to give grants.

2. The mining recorder shall then issue to each person whose name appears in the records a grant for his claim, provided an application has been made by him in accordance with the form in schedule A to this Act.

Date of grant in such cases.

3. The grant shall date from the time the emergency recorder recorded the application. 6 E. VII., c. 39, s. 19.

Permits to bona fide prospectors.

34. Any person, upon satisfying a mining recorder that he is about to undertake a bona fide prospecting trip, may upon payment of a fee of two dollars receive written permission from the mining recorder, allowing him to record a claim within his mining district at any time within a period not exceeding six months from the date of his staking such claim. 6 E. VII., c. 39, s. 20, as amended by s. 13 of c. 77, 7-8 E. VII.

Applicant must have staked claim in person. Proviso.

35. No application shall be received for a claim which has not been staked by the applicant in person in the manner specified in this Act: Provided that if any person satisfies the mining recorder that he is about to undertake a bona fide prospecting trip, and files with the mining recorder a power of attorney, from any number of persons, not exceeding two, authorizing him to stake claims for them in consideration of their having enabled him to undertake the trip, he may stake one claim in the name of each such person upon any creek on which he makes a discovery. 6 E. VII., c. 39, s. 21.

Abandonment and surrender of claim.

36. A person holding a grant of a claim may at any time, abandon the claim, by giving notice in writing of his intention to do so to the mining recorder and surrendering his grant to the mining recorder, and thereafter he shall not personally or through any other person relocate the same claim. 6 E. VII., c. 39, s. 22.

Re-location of claim.

2. No claim shall be re-located within thirty days of its being so abandoned, nor until after notice of such abandonment has been posted up for at least a week in a conspicuous place on the claim and in the office of the mining recorder, nor until a statutory declaration has been filed with the mining recorder that the notices have been so posted. 7-8 E. VII., c. 77, s. 14.

Location of other claims.

37. Any person having recorded a claim shall not have the right to locate another claim within the valley or basin of the same creek within sixty days of the date on which he has located the said claim. S. 15, c. 77, 7-8 E. VII.

Substitute of mining recorder in case of absence.

38. During the absence of the mining recorder from his office, an application for a claim may be received by any person whom he may appoint to perform his duties in his absence. 6 E. VII., c. 39, s. 24.

SURVEYS.

39. Survey of claims made under instructions issued by direction of the Commissioner to a duly qualified Dominion land surveyor named by him shall be accepted as defining absolutely the boundaries of the claims surveyed, provided the returns of the survey are approved by the Commissioner or an official appointed by him for that purpose, and notice of such survey has been published in the Yukon official gazette for twelve successive issues thereof, and remains unopposed during that period.

Surveys of claims by a D.L.S. to define boundaries.

Notice in official gazette.

2. The owner of a claim so surveyed shall, prior to the first appearance of the advertisement in the Yukon official gazette, cause to be posted in a conspicuous spot on the claim a notice of his intention to advertise the survey of the claim, and also a plan of the survey of the claim prepared by the surveyor.

Notice and plan of survey.

3. If, within the time during which such notice is published, the survey is protested, the protest shall be heard and decided upon by the gold commissioner, and the costs of the hearing shall be in the discretion of the gold commissioner, who may direct that the same or any portion thereof shall be paid by any party to the proceedings.

Protest of survey decided by gold commissioner.

4. If a decision is rendered varying the boundaries of the claim from those defined by the advertised survey, the owner of the claim may have the claim re-surveyed and fresh returns prepared embodying the changes involved by such decision, and such re-survey being approved by the Commissioner, or the official appointed by him for that purpose, may without advertisement be accepted by the gold commissioner in lieu of the survey that has been protested.

Re-survey when decision varies boundaries.

5. The expenses in connection with the survey and advertisement of claims shall be defrayed by the owners of the claims, but no fees will be charged by the Government for filing plans or other documents in connection therewith. 6 E. VII., c. 39, s. 25.

Costs of survey and advertisement.

6. An appeal may be taken at any time within twenty days from the decision of the gold commissioner to the court en banc of the Territorial Court of the Yukon Territory. S. 16, c. 77, 7-8 E. VII.

Appeal from decision.

7. The procedure in all cases before the gold commissioner under this section, and on appeal therefrom, shall be in accordance with rules prepared by the gold commissioner and approved by the Commissioner. S. 16, c. 77, 7-8 E. VII.

Rules of procedure.

40. The Commissioner, on behalf of the Government of Canada, may authorize the survey of the base line of

Commissioner may authorize

survey of base lines and side lines.

any creek or river, and the side lines of any claim located on a creek or river, and such survey shall be made under the instructions of an official appointed by the Commissioner and such survey shall be subject to the provisions of section 39 of this Act with respect to advertisement and protest. 6 E. VII., c. 39, s. 26, as amended by S. 17, c. 77, 7-8 E. VII.

TITLE.

Grant of located claim.

41. Any person having duly located a claim may obtain a grant thereof for one or five years by paying to the mining recorder, in advance, the fees prescribed in schedule D to this Act.

Renewal of grant.

2. Such person shall, upon receiving such grant, be entitled to hold the claim for the period mentioned therein, with the absolute right of renewal from year to year thereafter upon payment of the renewal fee prescribed in said schedule, provided such person, during each year of the said period, and during each year for which such renewal is granted, does, or causes to be done, work on the claim to the value of two hundred dollars, in accordance with a schedule to be prepared by the gold commissioner and approved by the Commissioner, and files, within fourteen days after the date of the expiration of the said period or renewal thereof, with the mining recorder or his agent, an affidavit made by him or his agent, stating that such work has been done, and setting out a detailed statement thereof.

Work to be done.

Affidavit.

3. Any such work done outside of a claim with intent to work the claim shall be deemed, if it has direct relation to the claim, and if it is to the satisfaction of the mining recorder, to be work done on the claim for the purpose of this section. 6 E. VII., c. 39, s. 27.

Work done outside of claim.

Forfeiture of claim if work not done.

42. In the event of the work referred to in the last preceding section not being done as therein provided, the title of the owner to the claim shall thereupon become absolutely forfeited and the claim shall forthwith be open for re-location without any declaration of cancellation or forfeiture on the part of the Crown, and the claim shall not be reserved from entry and re-location during the fourteen days of grace mentioned in that section.

2. This section shall not affect any rights granted by the terms of any existing agreement with the Crown. 6 E. VII., c. 39, s. 28, as amended by S. 18, c. 77, 7-8 E. VII.

When owner does not renew, claim may be re-located. Proviso:

43. If the owner of a claim has done the required work thereon, but has failed to renew his grant thereof, the mining recorder may issue a grant to any person re-locating such claim: Provided that the owner may, within six

months after the date at which his grant came due for renewal, apply for the cancellation of any grant so issued, and the latter grant shall be cancelled upon it being proved to the satisfaction of the mining recorder that the required work was done by the said owner, and upon the said owner paying a renewal fee of thirty dollars, if the application is made during the first three months, or a fee of forty-five dollars, if the application is made during the second three months, and also paying the expenses to which the relocater may have been put in locating and applying for the said claim and obtaining a grant thereof, and also compensation for any bona fide work that he has performed thereon. 6 E. VII., c. 39, s. 29, as amended by S. 19, c. 77, 7-8 E. VII.

Owner may have grant cancelled on terms.

Fees and expenses of re-location.

44. No title shall be contested by any one who does not claim an adverse right except by leave of the Commissioner and upon such leave being given, it shall not be necessary to have any other authority on behalf of the Crown. 6 E. VII., c. 39, s. 30 ss. 1, as amended by S. 20, c. 77, 7-8 E. VII.

Contestation of title.

2. In the event of a claim reverting to the Crown as a consequence of litigation undertaken pursuant to such leave, the plaintiff shall have the first right to locate the said claim. 6 E. VII., c. 39, s. 30.

45. If two or more persons own a claim, each such person shall contribute, proportionately to his interest, to the work required to be done thereon, and in the event of its being proved to the gold commissioner, after notice of hearing has been served as directed by the gold commissioner on all parties interested, that any co-owner has not done so, his interest may become vested, by order of the gold commissioner, in the other co-owner or co-owners in proportion to their former interests. 6 E. VII., c. 39, s. 31, as amended by s. 21, c. 77, 7-8 E. VII.

Proportionate contribution of work by co-owners.

46. The owner of a claim may sell, mortgage or dispose of it, provided the instrument showing such disposal is deposited in duplicate with the mining recorder.

When claim disposed of, instrument to be recorded. By mining recorder.

2. The mining recorder shall, upon such deposit, register the instrument and return to the assignee one of the duplicates with a certificate endorsed thereon that the instrument has been recorded in his office, and retain the other. 6 E. VII., c. 39, s. 32.

47. No agreement affecting the title to any claim, or to any interests therein, shall be enforceable against any person without notice, unless such agreement or some memorandum thereof is in writing, duly signed, and is recorded in the office of the mining recorder. 6 E. VII., c. 39, s. 33.

Agreements affecting title to be in writing and be recorded.

Right of
grantee to
fish and
shoot.

48. Every person receiving a grant of a claim, or the permission to record a claim within the period not exceeding six months hereinbefore authorized, may, during the continuance of his grant or permission, fish and shoot for his own use, subject to the provisions of any law for the protection of fish and game, and may also cut timber, not otherwise acquired, for his own use and for any purpose incidental and necessary to the operation of his claim; and shall all have the exclusive right to enter upon his claim for the miner-like working thereof and the construction of a residence thereon, and shall be entitled exclusively to all the proceeds realized therefrom, upon which, however, the royalty prescribed by this Act shall be payable: Provided that the mining recorder may, subject to an appeal to the board of arbitration hereinafter referred to, grant to the holders of other claims such rights of entry thereon as may be absolutely necessary for the working of their claims, upon such terms as to him seem reasonable, and may also grant permits to other claim owners to cut timber thereon for their own use. 6 E. VII., c. 39, s. 34.

Cut timber.

Exclusive
rights.

Proviso.

Rights of
owner not
affected by
neglect, &c.,
of officials.

49. No rights of any person owning or applying for a claim shall suffer from any acts of omission or commission, or delays, on the part of any official appointed under this Act. 6 E. VII., c. 39, s. 35.

When
evidence of
location lost,
title may be
vested in first
bona fide
acquirer.

50. Whenever, through the acts or defaults of any person other than the recorder owner of a claim, or his agent by him duly authorized, the evidence of the location or record on the ground or the situation of the claim has been destroyed, lost or effaced, or is difficult of ascertainment, shall effect nevertheless be given of the location as far as possible; and the gold commissioner may make all necessary inquiries, directions and references in the premises for the purpose of carrying out the object of such location, and vesting title in such owner. 6 E. VII., c. 39, s. 36.

GROUPING.

Performance
of work
by owners
of adjoining
claims.

51. Upon application being made to him by any person or persons owning adjoining claims not exceeding ten in number, the mining recorder may grant permission, for a term not exceeding five years, to any such person or persons to perform on any one or more of such claims all the work required to entitle him or them to a renewal grant for each claim so held by him or them: Provided that, where the application is made by more than one person, the applicants shall file with the Mining Recorder a deed of partnership creating a joint liability between the owners of the claims for the joint working thereof.

2. If, however, application is made for permission to include in one group more than ten placer mining claims owned by one individual, company or group of individuals included in a registered partnership, and if upon the report of the mining inspector it is shown to the satisfaction of the gold commissioner that such claims are to be operated by a system of mining on a large scale, which has a direct bearing upon all of the claims affected, and renders a considerable area necessary to successful operation by the system proposed, the permission provided for by this section may be granted for a period of not more than five years, with the approval of the Commissioner, with respect to such claims, notwithstanding that they are more than ten in number and not all contiguous; such permission, however, to be subject to cancellation at any time by the gold commissioner, after sixty days' notice to the persons interested, in case it appears from the evidence contained in the application for the renewal of the claims affected, or from the report of the mining inspector, that the system of mining contemplated when the permission to group was granted is not being installed or operated with reasonable diligence. 2 G. V., c. 57., s. 1.

If claims
are not all
contiguous.

52. Grants of claims in respect of which such permission has been granted, and grants of any claims within a mining district, owned by one person, may be made renewable by the mining recorder on the same day. 6 E. VII., c. 39, s. 38.

Grants of
grouped
claims may
be renewable
simultane-
ously.

2. In granting the privilege allowed under this section the mining recorder shall charge the applicant two dollars and fifty cents for every three months or portion thereof for each claim during that portion of the year it is necessary to renew it to make all the claims renewable on the same day; and the representation work required for the fractional portion of the year for which each claim is renewed shall be allowed at the rate of fifty dollars for each three months or fraction thereof, and the said representation work shall be performed and recorded on or before the date from which all the claims are first made renewable. S. 23, c. 77, 7-8 E. VII.

Renewal for
part of year.

WATER RIGHTS.

53. Every person owning a claim shall be entitled to the seepage water on his claim and to the use of so much of the water naturally flowing through or past his claim, and not already lawfully appropriated, as, in the opinion of the mining inspector, is necessary for the due working thereof; and shall be entitled to drain his own claim free of charge. 6 E. VII., c. 39, s. 39.

Rights of
claim owner
to water.

Grant of right to divert or use water.

54. A mining recorder may, with the approval of the Commissioner, upon application being made as hereinafter mentioned, grant to any person or persons for any mining purpose or any purpose incidental thereto, for any term not exceeding five years, or in special cases for such longer term as may be determined, the right to divert or take, and use or sell the water from any stream or lake, at any particular part thereof, and the right of way through and entry upon any mining ground, for the purpose of constructing and repairing ditches and flumes to convey such water: Provided that, before entering upon or constructing or repairing works upon the mining property of any other person, such applicant shall give adequate security, by bond or otherwise, to the satisfaction of the mining recorder to secure payment to the owner of such mining property of all damage caused by such entry or construction or repairing. 6 E. VII., c. 39, s. 40, as amended by S. 24, c. 77, 7-8 E. VII.

Notice of intention to apply for water grants.

55. Every applicant for a water grant shall post for twenty days previous to the making of the application a notice in writing of his intention to apply to the mining recorder for such grant,—

- (a) at the point of proposed diversion or taking;
 - (b) on the claim on which such water is intended to be used;
 - (c) on each claim or person's land to be crossed by the water in course of transit to the place of user; and,
 - (d) in the office of the mining recorder;
- and shall forward a copy of such notice to the gold commissioner.

Particulars to be contained in notice.

2. Such notice shall state,—

- (a) the name of the applicant;
- (b) the name, or, if unnamed, a sufficient description of the stream, lake or other source from which water is intended to be diverted or taken;
- (c) the point of diversion or taking or intended ditch-head, and the point where the water is to be returned to the stream;
- (d) the means by which it is intended to divert or take, or to store the water;
- (e) the number of inches of water to be applied for;
- (f) the purposes for which it is required, stated with reasonable particularity;
- (g) the claim upon which the water is to be used, or, if the right to sell water is asked, the locality within which the right is to be exercised; and,
- (h) the date of the posting of the notice, and the date on which application will be made to the mining recorder for the granting of the record. 6 E. VII., c. 39, s. 41.

56. On the day mentioned in the notice of application or at a subsequent day and time to be fixed by the mining recorder, as the case may be, application shall be made by or on behalf of the applicant, either by attendance in person or by agent, or in writing, for a grant in accordance with the terms of the notice. 6 E. VII., c. 39, s. 42.

Application for water grant.

57. The mining recorder shall, at such day and time, proceed to adjudicate upon the application, and may, with the approval of the Commissioner, upon proof to his satisfaction of the publication of notice in manner aforesaid, of the ability of the applicant to construct the necessary works, of the right of the applicant to apply for a record under the foregoing provisions of this Act, or any of them, and of the volume of unrecorded water available for diversion having regard to existing rights and records, whether held by land owners or mine owners, and to pending applications (which facts shall be reported upon by the Government mining engineer or mining recorder), issue to the applicant a grant in the form in schedule E to this Act, of such amount of water and for such purposes as, in the discretion of the mining recorder, are reasonably required by the applicant for the purposes specified in his notice of application. 6 E. VII., c. 39, s. 43, as amended by S. 25, c. 77, 7-8 E. VII.

Adjudication of mining recorder upon application.

58. The mining recorder may adjourn such adjudication from time to time as circumstances render expedient, and may take evidence by statutory declaration, and summon and examine witnesses upon oath, and hear all parties whose rights are or may be affected by the application. 6 E. VII., c. 39, s. 44.

Adjournment of adjudication.

Taking of evidence, &c.

59. Every holder of a water grant shall take all reasonable means for utilizing the water granted to him; and if he wilfully wastes any water or takes a quantity of water in excess of his actual requirements, or has worked out or abandoned the claim or claims with respect to which the water grant was issued, the mining inspector may, upon notice, cancel or reduce the grant, or impose such conditions as he thinks proper.

Cancellation, &c., or reduction of water grant in case of waste or excess.

2. An appeal may be taken, at any time within ten days from any such action of the mining inspector, to the gold commissioner. 6 E. VII., c. 39, s. 45.

Appeal to gold commissioner.

60. Every grant of water on an occupied creek shall be subject to the rights of such claim owners as shall, at the time of such grant, be working on the stream above or below the ditch-head, and of any other persons lawfully using such water for any purpose whatsoever. 6 E. VII., c. 39, s. 46.

Rights of miners, &c., saved.

Water rights of owners of claims subsequently located.

61. If, after the grant has been made, any person or persons locate and bona fide work any claim or claims below the ditch-head on any stream so diverted, they shall collectively be entitled to the continuous flow in the said stream of the water passing such claim or claims to the following extent: if three hundred inches or less are diverted, they shall be entitled to forty inches and no more; if over three hundred are diverted, they shall be entitled to sixty inches, and no more, except, in either case, upon paying to the owner of the ditch, and all other persons interested therein, compensation equal to the amount of damage sustained by the continuous flow of such extra quantity of water as is desired; and in computing such damage the loss sustained by the owners of such claims using water from the ditch, and all other reasonable losses, shall be considered.

2. The right to such continuous flow, and to such extra quantity of water, shall be subject in all cases to the approval in writing of the Government mining engineer or mining recorder, subject to appeal to the gold commissioner within twenty days from the date of the decision rendered. S. 26, c. 77, 7-8 E. VII.

Distribution of water by holder of water grant.

Proviso.

62. The holder of a water grant with the privilege of selling water may distribute the water to such persons and on such terms as he deems advisable, within the limits mentioned in his grant: Provided that the price charged for such water shall be subject to the control of the Commissioner, and the water shall be supplied to all claim owners who make application therefor in a fair proportion, and according to priority of application. 6 E. VII., C. 39, s. 48.

Rules for measurement of water in ditches and sluices.

63. In measuring water in any ditch or sluice the following rules shall be observed:—

- (a) The water taken into a ditch or sluice shall be measured at the ditch or sluice head;
- (b) No water shall be taken into a ditch or sluice except in a trough placed horizontally at the place at which the water enters it;
- (c) One inch of water shall mean half the quantity that will pass through an orifice two inches high by one inch wide with a constant head of seven inches above the upper side of the orifice;
- (d) A sluice head shall consist of fifty such inches of water. 6 E. VII., c. 39, s. 49.

Construction of culverts by owners of ditches, &c.

64. The owner of any ditch, water privilege or claim shall, at his own expense, construct, secure and maintain all culverts necessary for the passage of waste and superfluous water flowing through or over any such ditch, water privilege or claim. 6 E. VII., c. 39, s. 50.

65. The owner of any ditch or water privilege shall construct and secure the same in a proper and substantial manner, and maintain the same in good repair, to the satisfaction of the mining recorder, and so that no damage shall occur to any road or work in its vicinity from any part of the works of such ditch or water privilege. 6 E. VII., c. 39, s. 51.

Ditches, &c., to be constructed so as not to damage property.

66. The owner of any ditch or water privilege shall be liable for, and shall make good in such manner as the mining recorder determines, all damages which may be occasioned by or through any part of the works of the said ditch, water privilege, or right breaking or being imperfect. 6 E. VII., c. 39, s. 52.

Liability of owners for damages.

2. An appeal from the decision of the mining recorder under this section may be taken at any time within ten days to the gold commissioner. S. 27., c. 77, 7-8 E. VII.

Appeal.

67. Every grant of water obtained by the owner of a claim shall be deemed appurtenant to the claim in respect of which record is obtained; and all assignments, transfers or conveyances permitted by law of any claim, whether such assignments, transfers or conveyances were or shall be made before or after the first day of August, one thousand nine hundred and six, shall be construed to have conveyed and transferred and to convey and transfer, any and all recorded water privileges appurtenant to the claim assigned, transferred or conveyed. 6 E. VII., c. 39, s. 53.

a. Transfer of claim shall include water privileges as appurtenant.

67A. The Commissioner may, upon approval by him of an application for permission to impound the surplus waters of any creek or gulch, withdraw from mining entry any vacant ground required as a reservoir site, or for any other purpose in connection with the storage of water; but only such ground as has been thoroughly prospected and has been found to be worthless for placer mining purposes, or ground which has been worked out and abandoned, may be so withdrawn. S. 28, c. 77, 7-8 E. VII.

Ground for reservoirs.

DRAINAGE.

68. The mining recorder may grant permission to run a drain or tunnel for drainage purposes through any occupied or unoccupied lands whether mineral or not, and may give exclusive rights of way through and entry upon any mining ground for any term not exceeding five years, for the purpose of constructing and maintaining drains for the drainage thereof. 6 E. VII., c. 39, s. 54.

a. Grant of right to run drains.

Compensation for damages from drains.

69. The grantee shall compensate the owners of lands or of claims entered upon by him for any damage they must sustain by the construction of such tunnel or drain; and such compensation, if not agreed upon, shall be settled by the board of arbitration hereinafter referred to, and be paid before such drain or tunnel is constructed. 6. E. VII., c. 39, s. 55.

Drains to be property of constructor.

70. Such drain or tunnel, when constructed, shall be deemed to be the property of the person by whom it has been constructed. 6. E. VII., c. 39, s. 56.

Application for right to run drains.

71. Every application for a grant shall state the names of the applicants, the nature and extent of the proposed drain or drains, the amount of toll, if any, to be charged, and the privileges sought to be acquired, and shall, save where the drain is intended only for the drainage of the claim of the person constructing it, be accompanied by a deposit of twenty-five dollars, which shall be refunded if the application is refused, but not otherwise.

Notice.

2. Ten full days' notice shall be given of any such application to be made in June, July, August, September or October, and one month's notice of an application to be made in any other month, by affixing the notice to a post planted in some conspicuous part of the ground, and by affixing a copy thereof conspicuously upon the inner walls of the office of the mining recorder.

Ground to be marked out.

3. Prior to such application, the ground included therein shall be marked out to the satisfaction of the mining recorder.

Protest of application.

4. Any person may, within the times hereinbefore prescribed for the notice of such application but not afterwards, protest before the gold commissioner against such application being granted. 6. E. VII., c. 39, s. 57.

Form of grant.

72. The grant of the right of way to construct drains and tunnels shall be in the form F in the schedule hereto.

To be registered.

2. The grant shall be registered by the grantee in the office of the mining recorder, to whom he shall at the time pay a fee of five dollars; or, if the grant gives power to collect tolls, a fee of forty dollars.

Rent.

3. An annual rent of ten dollars shall be paid, in advance, by the grantee for each quarter of a mile of right of way legally held by him, save where the drain is for the purpose of draining only the claim of the person constructing it. 6 E., VII., c. 39, s. 58.

DISPUTES.

73. In case of any dispute as to the locating of a claim the title to the claim shall depend upon priority of location, subject, however, to any question as to the validity of the record itself, and subject, further, to the claimant having complied with all the terms and conditions of this Act. 6 E. VII., c. 39, s. 59.

74. In the event of any dispute between owners of claims or lessees of locations with respect to the distribution of water or the boundaries of claims or to dumping or any other matter referred to in the next following section, such dispute may be heard and determined by a board of arbitrators to be appointed as follows: The gold commissioner, upon the request of any such owner or lessee for the appointment of a board of arbitrators and upon being furnished with a statement of the matter complained of clearly expressed in writing, shall notify each owner and lessee specified in such request to appoint an arbitrator, and in case such owner or lessee refuses or neglects to appoint an arbitrator within thirty days from the date of such notification the gold commissioner, upon being requested so to do by the arbitrator or arbitrators appointed, or by any interested owner or lessee, shall appoint such arbitrator or arbitrators. In the event of the total number of arbitrators so appointed being an even number, an additional arbitrator shall be appointed by such arbitrators.

2. In the event of the arbitrators so appointed being an even number, and being unable to agree upon the additional arbitrator, or failing to do so within five days from the date upon which the last arbitrator was appointed, the Gold Commissioner, upon being requested so to do by the arbitrators so appointed or by any interested owner or lessee, shall appoint the additional arbitrator.

3. The arbitrators shall be entitled to be paid a per diem allowance of ten dollars, together with necessary travelling and living expenses, while actually engaged in the arbitration, and the costs of such arbitration, including the cost of any examination of the property which may be found necessary, shall be borne by such owners or lessees as are parties to the dispute, and in the proportion set out in the award of the arbitrators.

4. The procedure in all cases before a board of arbitrators under this Act shall be in accordance with rules prepared by the gold commissioner and approved by the Commissioner. 2 G. V., c. 57, s. 2.

Damages by
dumping, &c.

75. Except as hereinafter provided, no person mining upon any claim shall cause damage or injury to the holder of any claim other than his own by throwing earth, clay, stones or other material upon such other claim, or by causing or allowing water which may be pumped or bailed or may flow from his own claim, to flow into or upon such other claim.

When owner
of claim
may deposit
leavings, &c.,
on adjacent
claim.

2. If the owner of a claim wishes to deposit the leavings, deads, waste or tailings therefrom on any adjacent claim, or on any other adjacent mining property, whether the same was acquired under the provisions of this Act or any other Act, order in council or regulation governing mining in the Yukon Territory, which claim or mining property is of not less than five years' standing, or if such owner wishes to cause or allow water which may be pumped or bailed or may flow from his own claim to flow into or upon such other claim or mining property, he may give one month's notice of such desire in writing to the owner or lessee of such adjacent claim or property, and if, at the expiration of the month the owner giving the said notice and the owner or lessee of the said adjacent claim or mining property has not been able to arrive at an agreement as to the price to be paid for the dumping ground or for damages caused by such flow of water, the owner giving notice may apply to the gold commissioner to have the value and size of the dumping ground determined by the said board of arbitrators, and the said board shall have power to permit so much of the said adjacent claim or property to be used for dumping and at such a price as the said board of arbitrators deems just. 2 G. V., c. 57, s. 3.

Judgment of
the board.

76. The judgment of the said board shall be in writing and shall be filed in the office of the mining recorder.

Appeal.

2. Any such judgment shall be final as to facts, but may be appealed from to the Territorial Court on any question of law. 6 E. VII., c. 39, s. 62.

Costs of
inquiry.

77. The said board may award such costs of and incidental to the inquiry as it deems just. 6 E. VII., c. 39, s. 63.

When appeal
allowed from
Yukon
courts.

78. Repealed by Sec. 30, c. 77, 7-8, E. VII.

Affidavits
and
declarations
whom to be
made before.

79. Affidavits and declarations required by this Act may be made before any gold commissioner, mining recorder, mining inspector, anywhere within the Territory, or by any person duly authorized to administer an oath or declaration. 6 E. VII., c. 39, s. 65.

Pending
litigation.

80. Nothing herein shall affect any litigation pending immediately before the first day of August, one thousand nine hundred and six. 6 E. VII., c. 39, s. 66.

ADMINISTRATION OF ESTATES.

81. If the owner of any claim dies or is adjudged to be insane, the provisions as to abandonment shall not apply, in the one case, either during his last illness or after his decease, or in the other case, either after he has been so adjudged, or, if it appears that the neglect or omission on account or by reason of which such claim would otherwise have been deemed to be abandoned was attributable to his insanity, during such period prior to his having been so adjudged as he shall be shown to have been insane. 6 E. VII., c. 39, s. 67.

Case of
death or
insanity of
owner.

82. The Commissioner may either cause the mining property of any such deceased or insane person to be worked in the usual manner, or may authorize the working of such property to be dispensed with for such periods as the necessity of the case may, in his opinion demand; and he may also, if he sees fit, and if there is no other legal representative, cause the public administrator of the Territory to take possession of such property and administer the same subject to the provisions of any ordinance respecting the administration of the estates of deceased or insane persons in the Territory, now or hereafter to be made or passed. 6 E. VII., c. 39, s. 68.

Powers of
Commissioner
respecting
property of
deceased
and insane
owners.

83. All charges and expenses which may be incurred by the Commissioner or the public administrator, or by any person acting under the instructions of either of them, in or about the working of such mining property, or in taking or keeping possession thereof, shall be and remain a first charge against the same, until paid to the Commissioner or public administrator, as the case may be. 6 E. VII., c. 39, s. 69.

Charges and
expenses a
first charge
on claim.

84. Any person receiving an assignment of a claim or interest in a claim from the public administrator shall apply for a grant thereof within two months from the date of such assignment. 6 E. VII., c. 39, s. 70.

Assignee to
apply for
grant within
two months.

TAXATION AND FEES.

85. On all gold shipped from the Territory there shall be levied and collected a royalty at the rate of two and one-half per cent of its value, or at such less rate as may be fixed by the Governor in Council.

Royalty on
gold shipped
from Yukon
Territory.

2. Such royalty shall be paid in currency to the controller of the Territory, or to some person authorized by him in that behalf, and the gold for the purpose of estimating such royalty shall be valued at fifteen dollars per ounce. 6 E. VII., c. 39, s. 85.

How paid and
to whom.

Fees.

86. The fees to be charged in connection with the administration of this Act shall be those set out in schedule D to this Act. 6 E. VII., c. 39, s. 86.

Moneys collected to be part of Consolidated Revenue Fund.

87. All fees, fines, royalties or other moneys collected under this Act shall become part of the Consolidated Revenue Fund of Canada. 6 E. VII., c. 39, s. 87.

GENERAL.

Misrepresentation in oath removal of legal posts, &c.

88. Should it be proved to the satisfaction of the mining recorder that any person has,—

(a) been guilty of misrepresentation in the statement sworn to by him in recording any claim, or in any of the statements required, under this Act, to be made by him under oath; or,

(b) removed, or distributed with intent to remove, or defaced any legal post or stake or other mark placed under the provisions of this Act;

the mining recorder may, in his discretion, order that such person be debarred from the right to obtain a grant or renewal of a grant of a claim for any length of time which he deems advisable.

All mining recorders to be notified of order made.

2. The mining recorder shall, forthwith, upon any such decision by him, notify every other mining recorder of such decision.

Appeal to gold commissioner.

3. An appeal shall lie from any such decision of the mining recorder to the gold commissioner. 6 E. VII., c. 39, s. 88.

Penalties for contraventions of Act.

89. Any person wilfully acting in contravention of this Act, or refusing to obey any lawful order of any official, court or board having jurisdiction under this Act in mining disputes shall, on summary conviction before any two justices of the peace or a police magistrate, be liable to a fine not exceeding two hundred and fifty dollars, or to imprisonment, with or without hard labour, for a term not exceeding three months. 6 E. VII., c. 39, s. 89.

Application and extent of Act.

90. No person shall be granted or acquire a claim or any right therein, or carry on placer mining in the Territory, except in accordance with the provisions of this Act: Provided that this section shall not affect any rights which,—

Proviso. Exception as to rights under prior orders in council, &c.

(a) have already been acquired under the regulations for the disposal of mining locations in the Territory to be worked by the hydraulic or other mining process, approved by order in council dated the third day of December, one thousand eight hundred and ninety-eight, and amendments thereto; 6 E. VII., c. 39, par. (a). or,

b) have been or may hereafter be acquired under the regulations governing the issue of leases to dredge for minerals in the beds of rivers in the Territory, approved by order in council dated the eighteenth day of January, one thousand eight hundred and ninety-eight, or of any regulations now or hereafter passed in amendment of such regulations. 6 E. VII., c. 39, s. 91, par. (b) as amended by S. 3, c. 54, 6-7 E. VII.

(c) may have been otherwise lawfully granted before the first day of August, one thousand nine hundred and six 6 E. VII., c. 39, s. 91.

91. The validity of the right of any owner of any placer mining claim in the Yukon Territory shall not be affected by reason of the neglect of such owner, or the neglect of any company or person through whom such owner claims title to such placer mining claim, to renew, between the thirtieth day of June, one thousand nine hundred and six, and the first day of August following the date upon which the Yukon Placer Mining Act came into force, the free miners' certificate held by such owner, company or person under the placer mining regulations which were in force in the Yukon Territory prior to the said first day of August: Provided that this section shall not prejudicially affect the rights of any other company or person in or to such placer mining claim, if such last mentioned rights were acquired by reason of the neglect of the prior owner of such placer mining claim, or of any company or person through whom he claims title thereto to renew such free miner's certificate within the period in this section mentioned. S. 4, c. 54, 6-7 E. VII.

Rights under free miner's certificate prior to August 1, 1906.

SCHEDULE A.

APPLICATION FOR GRANT FOR PLACER MINING AND AFFIDAVIT OF APPLICANT.

No.

I (or, we) _____ of _____ hereby apply, under the Yukon Placer Mining Act, for a grant of a claim for placer mining as defined in the said Act, in (*here describe locality*) and I (or we,) make oath and say:—

1. That to the best of my (or, our) knowledge and belief the land is such as can be located under section 17 of the said Act.

2. That I (or, we) did on the _____ day of _____ 19____, mark out on the ground, in accordance in every particular with the provisions of the said Act, the claim for which I (or, we) make this application, and in so doing I (or, we) did not encroach on any other claim or mining location previously laid out by any other person.

3. That the length of the said claim, as nearly as I (or, we) could measure, is _____ feet, and that the description of this date hereto attached, signed by me (or, us) sets forth in detail, to the best of my (or, our) knowledge and ability, its position.

4. That I (or, we) staked out the claim by planting two legal posts numbered 1 and 2, respectively, and that No. 1 is _____ discovery.

5. That I (or, we) make this application in good faith to acquire the claim for the sole purpose of mining to be prosecuted by myself (or, us) or by myself and associates or by my (or, our) assigns.

Sworn before me at _____ in the Yukon Territory, this _____ day of _____, 19____.

A commissioner for taking affidavits in the Yukon Territory (or, as the case may be).

6 E. VII., c. 39, sch. A.

SCHEDULE B.

APPLICATION FOR RENEWAL OF GRANT FOR PLACER MINING AND AFFIDAVIT OF APPLICANT.

No. _____ I (or, we) _____ of _____ (agent for _____ of _____, if such be the fact)) hereby apply under the Yukon Placer Mining Act for a renewal of a grant to the placer mining claim _____ in the _____ mining district, which said grant is number _____, and was issued to _____ on the _____ day of _____, 19____, and I make oath and say:—

1. That I am (or, we are) (the agent of _____, if deponent is an agent of the owner) the owner (or, owners) of placer mining claim _____ in the _____ mining district, and hold (or, that he holds) a grant for the said claim dated the _____ day of _____, 19____.

2. That work has been done on the said claim to the value of at least two hundred dollars, in accordance with the schedule of representation work prepared by the gold commissioner, and approved by the Commissioner of the Yukon Territory, between the _____ day of _____, 19____, and the _____ day of _____, 19____.

The following is a detailed statement of such work:

.....
.....
.....

Sworn before me at _____ in the Yukon Territory, this _____ day of _____, 19____.

A commissioner for taking affidavits in the Yukon Territory (or, as the case may be).

6 E. VII., c. 39, sch. B.

SCHEDULE C.

GRANT FOR PLACER MINING.

No. _____ Department of the Interior, Agency, _____, 19____ dollars, In consideration of the payment of _____ being the fee prescribed by schedule D to the Yukon Placer Mining Act, by _____ of _____, accompanying his (or, their) application No. _____ dated _____, 19____, for a mining claim in (here insert description of locality)

The Minister of the Interior hereby grants to the said _____ for a term of _____ year from the date hereof, the exclusive right of entry upon the claim (here describe in detail the claim granted) for the miner-like working thereof, and the construction of a residence thereon, and the exclusive right to all the proceeds realized therefrom, upon which, however, the royalty prescribed by the said Act shall be paid.

The said _____ shall be entitled to the use of so much of the water naturally flowing through or past his (or, their) claim, and not already lawfully appropriated, as shall be necessary for the due working thereof, and to drain his (or, their) claim, free of charge.

This grant does not convey to the said _____ any right of ownership in the soil covered by the said claim, and the said grant shall lapse and be forfeited unless the provisions of section 41 of the Yukon Placer Mining Act are strictly complied with.

The rights hereby granted are those laid down in the said Act and no more, and subject to all the provisions of the said Act, whether they are expressed herein or not.

Mining Recorder.

6 E. VII., c. 39, sch. C.

SCHEDULE D.

SCALE OF PRICES TO BE CHARGED.

For grant of a claim for one year.....	\$10 00
For a grant of a claim for five years.....	50 00
For renewal of grant of a claim.....	10 00
Recording an abandonment.....	2 00
Registration of a document.....	2 00
If it affects more than one claim, for each additional claim.....	1 00
For filing any document.....	1 00
Abstract of title—	
For first entry.....	2 00
Each additional entry.....	0 50
For copy of document—	
Up to 200 words.....	2 50
For each additional 100 words.....	0 50
For grant of water—	
Of 50 inches or less.....	10 00
From 50 to 200 inches.....	25 00
From 200 to 1,000 inches.....	50 00
For each additional 1,000 inches or fraction thereof.....	50 00

6 E. VII., c. 39, sch. D.

SCHEDULE E.

GRANT OF RIGHT TO DIVERT WATER AND CONSTRUCT DITCHES.

No.

Agency, _____, 19 _____, dollars
 In consideration of the sum of _____ paid on the date application is made for this grant, the Minister of the Interior, in accordance with the Yukon Placer Mining Act, hereby grants to _____ for the term of _____ years from the date hereof, the right to

divert, take (*sell) and use the water from _____ to the extent of _____ inches, and no more, to be distributed as follows:

and the right of way through and entry upon the following mining grounds:

for the purpose of constructing ditches and flumes to convey such water, provided that at least the sum of _____ dollars, shall be expended on the said ditches and flumes within one year from the date hereof, and provided that such ditches and flumes are constructed and in working order within _____ from the date hereof.

Provided that this grant shall be deemed to be appurtenant to placer claim No. _____ and shall cease and determine whenever the said claim shall have been worked out or abandoned, or the occasion for the use of such water upon the said claim shall have permanently ceased. †

Provided also, that this grant is subject to all the provisions of the said Act in that behalf whether the same are expressed herein or not. It is expressly a condition of this grant that the same is issued subject to all rights subsisting at this date to the water in respect to which this grant is issued. Water to be flumed and tailings to be handled to the satisfaction of the mining inspector.

*
†

Mining Recorder.

SCHEDULE F.

TUNNEL OR DRAIN LICENSE.

No.

To all whom it may concern:

Take notice that the owner of placer claim _____ in _____ Mining District, having given security to the amount of _____ for any damage he may do, has this day obtained a license from me to run a tunnel (or, drain) from _____

* To be inserted in a grant to sell water.
 † If the right to sell water is granted, insert the following:—
 "Provided also, that the price charged for the water shall be subject to the control of the Commissioner of the Yukon Territory, and the water shall be supplied to all claim owners who apply therefor in a fair proportion and without any discrimination."

to his said claim.

The said license is granted on these express conditions:

(Set out conditions if any)

Dated at the day of 19 .

Mining Recorder.

6 E. VII., c. 39, sch. F.