

CHAPTER 56

**An Act for the Validation of Documents and Procedures
under the Mineral Act and Placer-mining Act**

[Assented to 27th March, 1963.]

Preamble.

WHEREAS affidavits accompanying applications under the *Mineral Act* and the *Placer-mining Act* filed in the Mining Recorder's office for the Liard Mining Division have not been properly completed:

And whereas officials of the Department of Mines and Petroleum Resources have ascertained that these irregularities have occurred without the knowledge or fault of the persons who filed the affidavits and applications aforesaid:

And whereas it is in the public interest that the persons who filed those affidavits and made those applications should not be prejudiced or be caused undue loss as the result of those irregularities:

Now, therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short title.

1. This Act may be cited as the *Liard Mining Division Validation Act, 1963*.

Affidavits in
Form G of
Mineral Act.

2. Each of the following affidavits made in Form G under the *Mineral Act*, that is to say,

- (a) an affidavit made by H. Brodell on application for the recording of Toy Nos. 1 to 4 Mineral Claims, recorded under Nos. 11237 to 11240 on the twenty-third day of August, 1962;
- (b) an affidavit made by William Dennis as agent for Pete Hamlin on application for the recording of Water Nos. 1 to 8 Mineral Claims, recorded under Nos. 11241 to 11248 on the eleventh day of April, 1962;
- (c) an affidavit made by C. M. McLeod on application for the recording of Wizbang Nos. 3 to 8 Mineral Claims, recorded under Nos. 11259 to 11264 on the third day of July, 1962;
- (d) an affidavit made by Pete Hamlin on application for the recording of Callison Nos. 1 to 3 Mineral Claims, recorded under Nos. 11371 to 11373 on the twenty-second day of August, 1962;
- (e) an affidavit made by Pete Hamlin as agent for D. L. James on application for the recording of Ace Nos. 1 to 14 Mineral Claims, recorded under Nos. 11374 to 11387 on the fourth day of June, 1962;
- (f) an affidavit made by James McCrimmon on application for the recording of Jul Nos. 1 and 2 Mineral Claims, recorded under Nos. 11404 and 11405 on the thirtieth day of July, 1962,

shall be deemed to have been sworn before, taken, and completed by the Sub-Mining Recorder for the Liard Mining Division, and each of the mineral claims referred to in this section shall be deemed to have been and were properly recorded in accordance with the provisions of the *Mineral Act* on the dates referred to.

Affidavits in
Form B of
Mineral Act.

3. (1) Each of the following affidavits in Form B of the Schedule to the *Mineral Act*, that is to say,

- (a) an affidavit made by C. M. McLeod setting forth work done on the Larado Nos. 1 to 4 Mineral Claims, recorded under Nos. 9136 to 9139 on the fourteenth day of June, 1961, and in respect of which Certificates of Work Nos. 9891 to 9894 were recorded on the thirty-first day of May, 1962;
- (b) an affidavit made by C. M. McLeod setting forth work done on the Wizbang Nos. 1 and 2 Mineral Claims, recorded under Nos. 9134 and 9135 on the fourteenth day of June, 1961, and in respect of which Certificates of Work Nos. 9895 and 9896 were recorded on the thirty-first day of May, 1962;
- (c) an affidavit made by F. G. Maynes setting forth work done on the Katie Nos. 1 and 2 Mineral Claims, recorded under Nos. 6517 and 6518 on the sixteenth day of July, 1957, and in respect of which Certificates of Work Nos. 9897 and 9898 were recorded on the sixteenth day of July, 1962;
- (d) an affidavit made by C. M. McLeod setting forth work done on the Terry-Wayne Nos. 1 to 4 Mineral Claims, recorded under Nos. 4206 to 4209 on the twenty-first day of July, 1956, and in respect of which Certificates of Work Nos. 9899 to 9902 were recorded on the sixteenth day of July, 1962;
- (e) an affidavit made by J. E. McCallum setting forth work done on the Flo Nos. 1 to 8 Mineral Claims, recorded under Nos. 7023 to 7030 on the twenty-sixth day of May, 1958, and in respect of which Certificates of Work Nos. 9909 to 9916 were recorded on the twenty-fourth day of May, 1962;
- (f) an affidavit made by J. W. Thompson setting forth work done on the Leggs Nos. 1 to 4 Mineral Claims, recorded under Nos. 6343 to 6346 on the twenty-seventh day of May, 1957, and in respect of which Certificates of Work Nos. 9917 to 9920 were recorded on the twenty-fourth day of May, 1962;
- (g) an affidavit made by J. W. Thompson setting forth work done on the Iona Nos. 1 and 2 Mineral Claims, recorded under Nos. 7112 and 7113 on the fourteenth day of June, 1958, and in respect of which Certificates of Work Nos. 9921 and 9922 were recorded on the twenty-fourth day of May, 1962;
- (h) an affidavit made by E. Brodhagen setting forth work done on the Joe Nos. 1 to 6 Mineral Claims, recorded under Nos. 9988 to 9993 on the sixth day of September, 1961, and in

respect of which Certificates of Work Nos. 10891 to 10896 were recorded on the first day of October, 1962;

- (i) an affidavit made by F. G. Maynes setting forth work done on the Wildcat Nos. 11 to 14 Mineral Claims, recorded under Nos. 4210 to 4213 on the twenty-first day of July, 1956, and in respect of which Certificates of Work Nos. 9903 to 9906 were recorded on the sixteenth day of July, 1962;
- (j) an affidavit made by F. G. Maynes setting forth work done on the Wildcat Nos. 15 and 16 Mineral Claims, recorded under Nos. 4433 and 4434 on the twenty-second day of August, 1956, and in respect of which Certificates of Work Nos. 9907 and 9908 were recorded on the sixteenth day of July, 1962;
- (k) an affidavit made by J. J. Davediuk setting forth work done on the Ajax Nos. 1 to 10 Mineral Claims, recorded under Nos. 9124 to 9133 on the fourteenth day of June, 1961, and in respect of which Certificates of Work Nos. 10973 to 10982 were recorded on the thirty-first day of May, 1962,

shall be deemed to have been sworn before, taken, and completed by the Sub-Mining Recorder for the Liard Mining Division, and each of the aforesaid certificates of work shall be deemed to have been and were properly issued and recorded on the dates related to

(2) Where, prior to the coming into force of this Act, an application has been made under section 80 of the *Mineral Act* to set aside the certificates of work in respect of any claim referred to in this section, nothing in this section shall be construed to interfere with the proceedings authorized by section 80 of the *Mineral Act* or with the right of appeal granted by that section.

**Affidavit in
Form I of
Placer-mining
Act**

4. Each of the following affidavits in Form I of the Schedule to the *Placer-mining Act*, that is to say,

- (a) an affidavit sworn by E. G. Larson and filed with the application made on the tenth day of September, 1962, for and resulting in the issue of Lease No. 723 on the fifteenth day of November, 1962;
- (b) an affidavit sworn by J. W. Thompson and filed with the application made on the second day of October, 1962, for and resulting in the issue of Lease No. 725 on the twenty-seventh day of November, 1962;
- (c) an affidavit sworn by J. E. Morgan and filed with the application made on the tenth day of September, 1962, for and resulting in the issue of Lease No. 726 on the eighth day of January, 1963; and
- (d) an affidavit sworn by E. G. Brodhagen and filed with the application made on the twenty-eighth day of July, 1962, for and resulting in the issue of Lease No. 727 on the eighteenth day of January, 1963,

shall be deemed to have been sworn before, taken, and completed by the Sub-Mining Recorder for the Liard Mining Division, and each of the leases referred to shall be deemed to have been properly issued in accordance with the provisions of the *Placer-mining Act* on the dates referred to.

Free miners' certificates.

5. Free Miners' Certificates Nos. 58 to 100, inclusive, and Nos. 16501 to 16537, inclusive, purported to have been issued from the Sub-Mining Recorder's office for the Liard Mining Division, shall be deemed to have been properly issued by the Sub-Mining Recorder for the Liard Mining Division in accordance with the provisions of the *Mineral Act* and the *Placer-mining Act*, and the persons to whom the certificates were issued shall be deemed to have had and shall have all rights and responsibilities that they would have had if the free miners' certificates referred to had been so issued by the Sub-Mining Recorder.

Retroactivity

6. This Act is retroactive to the extent necessary to give full force and effect to the provisions thereof and to give full validation to the affidavits, leases, certificates of work, and free miners' certificates mentioned herein from and after the several dates referred to in this Act, and, subject to subsection (2) of section 3, the powers and duties, authority and rights, and responsibilities of all persons shall be deemed to have existed and shall exist as if the provisions of this Act had been in force from those several dates.