

Approved and ordered this 24th day of October, A.D. 1961.

  
Lieutenant-Governor.


At the Executive Council Chamber, Victoria,

PRESENT:

The Honourable

in the Chair.

Mr. Bennett  
Mr. Kiernan  
Mr. Black  
Mr. Bonner  
Mr. Gagliardi  
Mr. Peterson  
Mr. Martin  
Mr. S. Brown  
Mr.  
Mr.  
Mr.  
Mr.  
Mr.  
Mr.

  
To His Honour

The Lieutenant-Governor in Council:

The undersigned has the honour to recommend that Orders in Council Nos. 778<sup>✓</sup> and 779<sup>✓</sup>, approved April 12th, 1954, be rescinded as of 11.59 a.m. on Wednesday, the 1st day of November, 1961:

AND TO RECOMMEND THAT pursuant to the Placer-Mining Act and Mineral Act and all other powers thereunto enabling no person may on and after twelve o'clock noon on Wednesday, the 1st day of November, 1961, enter, locate, prospect or mine upon the following areas in the Alberni and Nanaimo Mining Divisions:

All those lands situated in the Clayoquot, Nootka and Comox Land Districts, being more particularly described as follows:

All those lands lying below the 800-foot contour bounding Buttle Lake and Campbell River and all tributaries thereof; northward along the said river to points on the east and west sides thereof where the said contour intersects the southerly boundary of Block 43, Comox Land District:

And all those lands lying below the 750-foot contour bounding Campbell River and Upper Campbell Lake and all tributaries thereof; from points on the east and west sides of Campbell River where the said contour intersects the southerly boundary of Block 43, Comox Land District, northwards to a line across Campbell River at the 50th parallel of latitude.

except in accordance with and subject to the following terms and conditions:

- (1) That any free miner who locates a placer claim or mineral claim and obtains a record thereof or who obtains a placer lease or a mineral lease shall do so at his own risk and shall not interfere or allow any person exploring, developing, mining, or working in any way the said claim or leasehold to obstruct or to interfere in any manner with the exercise of any right, whether existing or subsequently granted, of any other person to flood, or to occupy for any purpose connected with the development of hydro-electric power, the areas reserved, or to construct, operate and maintain any work done or structure erected for any of the foregoing purposes and the free miner shall not be entitled to compensation for any damage which may be done to his mining operation, plant or equipment by the aforesaid exercise of any right whether existing or subsequently granted.
- (2) No free miner shall carry on any mining operation within fifteen hundred feet of any dam, conduit, water tunnel, spillway or power plant, or within five hundred feet of any transmission line or any other work or structure which may be erected in the areas reserved except with the permission of the Chief Inspector of Mines:

- (3) A person including the Crown or its agent, who builds or proposes to build a dam, conduit, water tunnel, or power plant, or transmission line, or any ways, works, or structures in the areas reserved shall not interfere with or dislocate or obstruct any existing mining operation, plant or equipment without:
- (a) Inserting an advertisement of such intention in one issue of the British Columbia Gazette and in one issue of a newspaper circulating in the district in which the reserved areas are situated, not less than thirty days nor more than ninety days before the actual start of the work or operation which will result in such interference, dislocation or obstruction takes place: and
- (b) Giving at least ninety days notice in writing to the owner or holder of a mineral claim, lease or placer-mining claim, as the case may be, or his representative, which notice shall be deemed to have been sufficiently given if it is mailed to the address noted upon the last tax notice issued in respect of a Crown-granted mineral claim or noted in the most recent relevant record of the Gold Commissioner, and any notice so given shall be deemed to have been received when, in the ordinary course of mail, it should have been delivered. No notice under this term or condition need be delivered to a free miner or lessee, or his representative, who records a placer claim or a mineral claim or applies for a mineral lease or files a notice of intention to apply for a placer-mining lease after the insertion of the advertisements required by paragraph (3) (a) above:
- (4) The benefit of the conditions set forth in this order inures to the Crown and its agents, to persons contracting with the Crown with respect to the development of the areas reserved and to licencees under the "Water Act":
- (5) The free miner shall before making application to record a placer claim or a mineral claim or before making application for a mineral lease or filing a notice of intention to apply for a placer lease, execute and deliver to the Gold Commissioner a release, in quadruplicate, in favour of Her Majesty in the right of Her Province of British Columbia, and licencees, assignees, agents and servants, from any cause of action, claim, demand or action, which he may at any time have or allege as the result of any exploration, development, mining or working of any area which may be included in a placer claim, a mineral claim, a placer lease or a mineral lease or as the result of occupation of any land for any purpose connected with the development of hydro-electric power or as the result of any structure, operation, or maintenance of any work done or structure erected for any of the purposes set forth in paragraph (1).

DATED THIS

23<sup>rd</sup>.

DAY OF

Oct.

A.D.1961.

*M. Kerran*  
Minister of Mines and Petroleum Resources.

APPROVED THIS

23<sup>rd</sup>.

DAY OF

Oct.

A.D.1961.

*W. J. Amund*  
Presiding Member of the Executive Council.

KBB/ef

**DEPARTMENT OF MINES**

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**Re O. IN C.**

Rescinding O.C.'s 776 and 779 and re-  
establishing a reserve with right of  
entry for prospecting and mining  
subject to release.