
REPORT

In regard to a Petition addressed to the President of the United States by certain residents of Atlin, complaining of recent mining legislation of this Province, which Petition is referred to in the Report of the Minister of Justice on chapter 50, "An Act to amend the 'Placer Mining Act.'"

C. A. SEMLIN,

Provincial Secretary.

Provincial Secretary's Office,

29th January, 1900.

To His Honour the Lieutenant-Governor in Council :

The undersigned has had before him for consideration a communication from the Lieutenant-Governor, dated the 12th ultimo, wherewith is transmitted a copy of a Petition addressed to the President of the United States by certain residents of Atlin, complaining of recent mining legislation of this Province, as therein set forth.

The undersigned has the honour to report as follows, in regard to said Petition :—

The Petition states that four-fifths of the claims prospected and located belong to citizens of the United States ; thus, according to the Petition itself, there is only one-fifth left for other aliens and our own citizens. This statement is probably like the other statements in the Petition, greatly exaggerated, but there is sufficient truth in it to justify (if this proportion between aliens and citizens should be maintained) the stand which the Legislature took to carry out their avowed policy, the reservation of the Provincial placer mines for British subjects.

The question whether such policy was in the true interest of the Province is one for the Legislature and the Legislature alone, and the unanimity with which that body endorsed this policy is sufficient to show that the Government and the Legislature were in complete accord in the matter. There is no attempt to discriminate between the native born and the naturalized citizen, nor to throw any difficulty whatever in the way of an alien desiring to become naturalized ; all that is done is to say—our placer mines are reserved for those who are prepared to acknowledge their obligations as citizens of the British Empire.

"Taking up the complaints in the Petition *seriatim*, we would say : any rights acquired by the petitioners have been preserved to them. The legislation complained of specifically exempts all claims recorded prior to its passage, and provides for the unimpeded working of such claims by the holders, although aliens. A reference to the mining laws will show that their whole tenor is, as it necessarily must be, that no right is acquired until a claim is recorded. As already stated, all such rights are scrupulously respected. It may be well to note this, as a casual reader of the Petition, unacquainted with the facts, might naturally suppose that such claims had been confiscated.

The Government, with the sanction of the Legislature, had an unquestioned right to reserve any lands they might think fit from the prospector and miner. They might have said, the Crown retains in its own possession for the present all mines and minerals the property of the Crown in the northern part of the Province, and no one will be allowed to prospect for or appropriate minerals in that section. Such a course might have been taken with a view of working these claims by the Crown for its own direct benefit, or with the purpose of having these claims in reserve after the mining interests in the other parts of the Province had been more fully developed.

Suppose such a course had been adopted, that all the miners had been excluded from the lands in question, the absurdity of the petitioners' claims would be seen at once, and the absurdity exists no less although the reserve thus made has been relaxed so far as citizens are concerned. The grievance of the petitioners is really not that *they* are shut out, but that others are admitted.

