

Ministry of

Northern Development
and Mines

Ministère du

Développement du Nord
et des Mines

**IN THE MATTER OF THE MINING ACT BEFORE THE
PROVINCIAL MINING RECORDER**

IN THE MATTER OF: Mining claim L 3000607 intended to be staked in the north ½ of the north ½ Lot 6 Concession IV and the south ½ of the south ½ of Lot 6 Concession V Cook Township, Larder Lake Mining Division.

AND IN THE MATTER OF: a dispute filed by

CHRISTINE MARSHALL

-against the mining claim of record held by-

ROYAL VICTORIA MINERALS LTD.

WHEREAS: A hearing was held on April 21, 2004 and the parties were given opportunity to present material and make representations on their behalf.

I FIND: On considering the evidence before me that mining claim L 3000607 was staked in substantial compliance with the Claim Staking Regulation OReg. 7/96, therefore,

I ORDER: That the dispute is dismissed and that mining claim L3000607 will remain as the claim of record.

THE BACKGROUND AND REASONS FOR THIS DECISION FOLLOW IN SUBSEQUENT PAGES.

AND PLEASE NOTE: That the parties have a right of appeal to the Mining and Lands Commissioner as provided in Section 112 of the Mining Act R.S.O. 1990 (MA). If a party chooses to appeal, the necessary documents must be filed in the office of the Mining and Lands Commissioner, Toronto within 30 days of this decision and served on the Provincial Recording Office, Sudbury.

AND ALSO NOTE: That Subsection 110(5) MA makes this decision final and binding unless appealed from as provided in Section 112 MA.

Dated this 20th day of May, 2004

Roy Spooner
Provincial Mining Recorder

BACKGROUND

Jacques Robert staked mining claim L 3000607 on July 4, 2002. The application to record was received in the Provincial Recording Office on July 15, 2002 and Mr. Robert indicated in his application that the mining claim was to be recorded in the name of Royal Victoria Minerals Ltd. Attached to this order is a portion of the Cook Township map illustrating the intended staked area (four sixteen hectare claim units) being parts of Lot 6 Concessions IV and V.

The same parts of Lot 6 Concessions IV and V had been previously held, in mining claim L1242039, by Charles Arnold Marshall. That mining claim was staked by Mr. Marshall on June 6, 2000 and recorded June 15, 2000. According to Section 2 of Ontario Regulation 6/96 "Assessment Work", \$1,600 in assessment work was required to be performed and reported on or before June 15, 2002. Assessment work was not reported therefore the mining claim automatically forfeited pursuant to Subsection 72 (1) (b) of the Mining Act RSO 1990 (MA). The land was then posted for re-opening June 19, 2002 and, as provided in Subsection 72.1 (2) MA, Mr. Marshall's forfeited claim was open for any licensee to stake at 8 a.m. standard time on June 20, 2002. I note that the land was legally available to new staking for fifteen days before Mr. Robert staked the claim of record, L 3000607.

Perhaps at the same time that Jacques Robert was filing his application to record (July 15, 2002), Mr. Marshall discovered that his mining claim had forfeited and asked the Ministry of Northern Development and Mines (the Ministry) for a remedy to the forfeiture. Early in the day, July 16 2002, the land was withdrawn from further staking, pursuant to Section 35 of the MA, as an interim measure while the facts were being analyzed. After the Section 35 order was signed it was verified that the land had been staked by Mr. Robert and a valid application to record for L3000607 had been filed. The Ministry was not in a position to offer Mr. Marshall any remedy since another licensee had established a legal right to the ground.

Mr. Marshall staked yet another mining claim for the same area of land on July 17, 2002. His application to record for claim 3004143 was taken “filed only” July 22, 2002. It was noted on the application to record that the land had been withdrawn from further staking effective July 16, 2002. The significance was that claim 3004143, staked by Mr. Marshall, was not valid regardless of the outcome of a dispute.

On July 19, 2002 Ms. Christine Marshall filed a dispute against mining claim L 3000607. According to the details of the dispute, Ms. Marshall alleged (in part) that the staking of claim L3000607 did not comply as it wandered substantially from the surveyed township fabric.

THE HEARING

**Christine Marshall for the Disputant
Wayne Reid for Royal Victoria Minerals Ltd., the Respondent**

The Disputant argued that mining claim L 3000607 was approximately 600 feet south of where it should have been staked. Exhibit number one, submitted by the Disputant, illustrates a “rock anomaly” located west of L 3000607 in Lot 7. Apparently, for some time, Mr. Marshall had used the rock outcrop to assist in ground control for his mining claim and exploration program. The Disputant insists that the concession line runs through the rock outcrop. Attached is a portion of the Cook Township CLAIMAP illustrating the outcrop that is evident as contours on the map (330-meter).

The evidence, as submitted by the Disputant, indicates that the claim of record was not staked in the same place as Mr. Marshall’s forfeited claim. The number three corner for the claim of record (L 3000607) may be approximately 600 feet south of where Mr. Marshall had placed his number three corner (L 1242039). Mr. Marshall’s claim is in the right place, according to the

Disputant, as there is a topographic feature on the ground and on the map (rock outcrop) that assists in determining where the concession line is located.

Also, the Disputant alleges that the new claim staked by Mr. Robert (L 3000607) overlapped another Marshall claim to the south. When the dispute was filed, the Provincial Recording Office (PRO) sent standard correspondence to the parties giving notice of the dispute and warning that evidence of the staking was not to be disturbed. A copy of the letter is attached.

As a result of the correspondence sent by PRO the Marshall's took it that no one was to enter on the claim of record. They intended to keep claims to the south in good standing by conducting assessment work in the area where claim L 3000607 overlapped their property by 600 feet. Since they understood they were to stay off L 3000607, the assessment work was not done and additional Marshall claims forfeited. Royal Victoria then staked these other claims.

The Disputant submitted that the claims (including the additional claims staked by Royal Victoria) should be given back to Mr. Marshall as there was a great deal of work done on the property since 1985, as the new claims were not staked in the right place and because Royal Victoria had people enter in the area for additional staking etc. when PRO had warned them to stay off the ground. The next logical step, as seen by the Disputant, was to file additional disputes against the other claims staked for Royal Victoria.

Mr. Reid, for Royal Victoria, explained that the staking occurred as a result of a regional airborne survey. They staked any "targets" found open for staking. According to Mr. Reid, the staking was not done as a result of any prior work conducted by Mr. Marshall. The stakers did their best to tie on to the township fabric. When the six additional claims to the south were staked (additional forfeited Marshall claims) they had been open for four months. Royal Victoria felt they should stake what was open otherwise another competitor would step in.

The Respondent argued that the inspection report, filed by the MND&M inspector, was favourable for Royal Victoria. The inspection report estimates that the corners for L 3000607 may be only 40 meters off the township fabric. Mr. Reid assumed that if the claims were found to wander from the township fabric, Royal Victoria would simply be given a Recorder's order to adjust the boundaries.

REASONS

This dispute raises the following questions:

- **Does the Provincial Mining Recorder have authority to give mining claims back to a claim holder once claims have forfeited and another party has staked the open ground?**
- **Has there been substantial compliance in the staking of L 3000607 with regard to the requirement to stake along the lot and concession lines (Subsections 5 {1} {b} and 5 {13} Claim Staking Regulation)?**
- **When the Provincial Recording Office notifies parties that a dispute has been filed and that the evidence of staking is not to be disturbed, are the parties prohibited from entering on the ground to conduct additional staking and assessment work?**
- **What is the significance of apparent overlap in claim boundaries in a subdivided township?**
- **Where a mineral occurrence lies within an overlap between two different mining claims, in a subdivided township, how are the claim holders to know who has the “showing”?**

Prior to 1991 the Mining and Lands Commissioner was in the practice of exercising a legal discretion where mining claims could be “relieved from forfeiture”. Where the ground had been staked by another party (adverse interest), the Commissioner could return the claims to the original holder but, perhaps, under the condition that the second party would be compensated for costs incurred. At that time approximately 33% of the mining claims in Ontario were being held through remedies available (relief from forfeiture, extensions of time for assessment work, extensions of time for applying for lease, etc.).

In preparation to overhaul the Mining Act in the late 1980’s, advisory committees were formed that included significant representation from the mining exploration industry. At that time it became evident that the industry was not satisfied with having so many claims held by remedy rather than performance of bona fide exploration work therefore recommendations were made to eliminate relief from forfeiture except in special circumstances.

On June 3, 1991 a new Ontario Mining Act eliminated the Mining and Lands Commissioner’s authority for relief from forfeiture (for failure to report assessment work). The mining recorder was given a limited authority to relieve claims only where there was forfeiture as a direct result of error on the part of the Crown. The 1991 Mining Act also provided for the Minister’s delegate to allow relief from forfeiture under special circumstances on payment of a \$765.00 fee. The present policy is not to grant Minister’s relief from forfeiture where there is adverse interest (someone staked the open ground).

In this case, the forfeiture of the Marshall claim was not as a result of an error on the part of the Crown. I cannot exercise the authority in Section 49 MA. In any event should Section 49 MA

become a question in this matter it would require referral to the Commissioner as indicated in 49 (2) MA.

The Provincial Mining Recorder (recorder) has no legal authority to simply take the claim away from one party and award the claim to another. This matter is not a question of whether or not the claim can be given back to Mr. Marshall. The original Marshall claim (L 1242039) has forfeited “...without any declaration, entry or act on the part of the Crown or by any officer, and the claim is open for prospecting and staking out,...” (Subsection 72 {1} {b} MA). Jacques Robert had a right to stake open ground and the Mining Act protects the right of Royal Victoria if there has been substantial compliance with the staking requirements. I cannot give claim L1242039 back to Mr. Marshall.

Also I cannot give Mr. Marshall his new claim (“filed only” 3004143) as it was staked when the land was withdrawn by order under Section 35 of the Mining Act. If the Disputant was successful in proving that the claim of record was invalid there would remain no valid mining claim for either of the parties.

Although the Disputant does not have a mining claim that may be recorded or “given back”, there remains a legal right for anyone to allege that a recorded claim is illegal or invalid in whole or in part through the dispute process allowed in Section 48 MA. The role of the recorder is not to decide which of the parties will be awarded the mining claim. The legal responsibility of the recorder is to decide if the mining claim of record was staked in substantial compliance with the Staking Regulation.

The following are Sections 43, 48, 110 and 111 MA:

Substantial compliance with Act and regulations sufficient

43. (1) Substantial compliance as nearly as circumstances will reasonably permit with the requirements of this Act and the regulations as to the staking out of mining claims is sufficient. R.S.O. 1990, c. M.14, s. 43 (1); 2000, c. 26, Sched. M, s. 5.

Deemed substantial compliance

(2) The staking out of a mining claim shall be deemed to be in substantial compliance with the requirements of this Act and the regulations even if there is a failure to comply with a number of specific staking requirements if,

- (a) the failure to comply is not likely to mislead any licensee desiring to stake a claim in the vicinity; and
- (b) it is apparent that an attempt has been made in good faith by the licensee to comply with the requirements of this Act and the regulations. R.S.O. 1990, c. M.14, s. 43 (2).

Dispute of recorded claim

48. (1) A dispute in the prescribed form, verified by a detailed statement of claim and a certificate, may be filed with the recorder by a person alleging that a recorded claim is illegal or invalid in whole or in part and, if the disputant or the person in whose behalf he or she is acting claims to be entitled to be recorded for or to be entitled to any right or interest in the lands or mining rights, or in any part thereof, comprised in the disputed claim, the dispute shall so state, giving particulars, and the recorder shall, upon payment of the required fee, receive and file such dispute, and shall enter a note thereof upon the record of the disputed claim. R.S.O. 1990, c. M.14, s. 48 (1); 1997, c. 40, s. 7; 1999, c. 12, Sched. O, s. 21 (1).

Disputes

110. (1) A recorder may hear and, subject to the right of appeal provided in section 112, determine disputes between persons with respect to unpatented mining claims. 1999, c. 12, Sched. O, s. 39 (1).

Same

(2) If a dispute relates to whether the provisions of this Act regarding mining claims have been complied with, the recorder shall hear and determine the dispute unless,

(a) the Commissioner orders otherwise; or

(b) the Commissioner agrees to hear and determine the question pursuant to a request made by the recorder. 1999, c. 12, Sched. O, s. 39 (1).

Note of decision

(3) The recorder shall forthwith,

(a) record a detailed note of all decisions that he or she makes; and

(b) notify all persons affected by a decision. 1999, c. 12, Sched. O, s. 39 (1).

(4) Repealed: 1999, c. 12, Sched. O, s. 39 (2).

Finality of decision

(5) The decision of the recorder is final and binding unless appealed from as provided in section 112. R.S.O. 1990, c. M.14, s. 110 (5).

Directions as to conduct of proceedings

111. (1) The recorder may give directions for the conduct and carrying on of proceedings before him or her, and in so doing the cheapest and simplest methods of determining the questions arising that afford to all interested parties an adequate opportunity of knowing the issues in the proceedings and of presenting material and making representations on their behalf shall be adopted. R.S.O. 1990, c. M.14, s. 111 (1).

Section 111 of the Mining Act requires me to provide opportunity for the parties to understand the issues in this dispute. I have attempted to explain how the Mining Act applies, in this case, by the preceding detail. I now address the question of whether or not the mining claim of record substantially complies with the Claim Staking Regulation.

At the request of the Disputant, the Ministry inspected Claim L 3000607. Inspection Report R-10/03 was filed March 3, 2004. On page 5 of the report, inspector Pierre Descoteaux indicates in summary: “Due to heavy forest activity in the area such as clear cutting and scarification, we were unable to locate any evidence of the township fabric on the ground.” The inspector used a Global Positioning System (GPS) device and then plotted the coordinates for corner posts found on the ground. By this method of estimating the physical location of the claim boundaries, the inspector developed a sketch that is provided in the following images

The inspection report indicates: “According to the township fabric taken from Claim Maps, the posts are approximately 40 to 70 meters North West of the township fabric shown on the claim map.” The inspector also clarifies that there is an error factor in the map of + or – 10 meters. Also there is a possible error factor of less than 20 meters due to accuracy of the Ontario Base Map Data and coordinate conversions. The inspection report qualifies that the locational evidence should be within 20 to 30 meters.

Section 5 of Ontario Regulation 7/96 Claim Staking requires claim L 3000607 to be staked so that the boundaries on the ground are coincident with the surveyed lot and concession lines that were established by an Ontario Land Surveyor originally in the year 1904. One hundred years after the surveyor laid down his lines I find it understandable that it would be difficult to find evidence of the survey under the best of circumstances. If I understand the surveyor’s field notes correctly, only wooden posts were used in 1904 to monument Cook Township lot corners and line intersections. Circumstances are now far from ideal as logging activity has disturbed the ground.

The Mining Act does not require strict compliance with the rules specified in Claim Staking Regulation. Section 43 MA requires only substantial compliance as nearly as circumstances will reasonably permit. Given that the survey was done in 1904 and that there has been logging activity, I find the circumstances make it almost impossible for a claim staker to place the claim boundaries exactly where they should be. There was a reasonable job done by Jacques Robert in the staking of L 3000607 and, in my opinion, the substantial compliance standard has been satisfied.

The Disputant argues that there is evidence that L 3000607 was staked 600 feet south of where it should be placed within the Cook Township survey fabric. The evidence relied upon by the Disputant is the contour illustrated on the claim map just west of Lot 6. Refer to the portion of the Cook Township image on page three of this decision.

There is a contour on the map indicated to be at elevation 330 meters. Surrounding that contour is another at elevation 320 meters. If I understand what the Disputant describes, there is a rock outcrop on a hill that is 10 meters above the surrounding ground. The Disputant used the “rock anomaly” as a topographic feature to assist in estimating where the surveyed concession line runs east-west between Concession IV and Concession V. For some time Mr. Marshal had staked his claims assuming the concession line was running through the hill. I note that the map does illustrate the concession line as the Disputant describes it.

In the Mining and Lands Commissioner’s Case Meunier v. Larche et al. (MCC Vol. 5, Page 485, June 18, 1979) the Commissioner comments on something called the “best staking principle”:

“...If the staking is valid either in itself or through the curative doctrine, there is no method of striking down the staking merely because another has staked in a manner that may be more perfect than the adequacy of the staking of the recorded holder. To create a principle of comparative perfection of staking would only lead to confusion in respect of varying degrees of perfection of staking and proliferation of litigation. The significance of recording has long been recognized by stakers as was evidenced in this case, as well as many of the reported cases, the industry is aware of the position of the staker who records first. In the view of this tribunal there is no principle, or the basis for a principle, that might be referred to as the best staking principle.”

It may be that Mr. Marshall is correct and that the concession line is located where he thinks it is. If so, that would place Mr. Marshall's staking closer to the township fabric than where Mr. Robert placed L 3000607. Even if that is so Mr. Robert is not required to place his claim as well as Mr. Marshall did. Mr. Robert is only required to satisfy the standard of substantial compliance. The “best staking” does not win. The Mining Act requires the staking of L 3000607 to substantially comply and Mr. Robert did what was required of him.

The Disputant's use of topographic features is commendable but problematic. The argument is that the claim of record is 600 feet south from where it should be (approximately 200 meters). The contour that the Disputant relies on measures approximately 200 meters north-south on the map. If the concession line runs somewhere through the contour it would be difficult to speculate where within a 200-meter feature. The only dependable method of finding the concession line is by retracement survey by an Ontario Land Surveyor.

Contour lines that appear on the Cook Township map may not be accurately plotted. The claim map is derived from Ontario Base Mapping. A person transferred information, by hand and eye, from an aerial photograph to a map that became the “base”. The accuracy of the base is dependent on a somewhat subjective interpretation by eye and, also, transferred through several generations of map versions to the eventual digital map we utilize today. Considering all the possible inaccuracies I cannot place a great deal of weight on the 330-meter contour as evidence for the concession line. It may be “in the ball park” but no more.

The Claims Inspector found “older staking” in the immediate area surrounding the corner posts (L 3000607). Old staking fabric should not be considered as good evidence of where the lot and concession fabric lies. The older claims could have all been staked in the wrong place. On the other hand, older staking may be of use in a case such as this. Perhaps evidence of the lot and concession lines could be found at the time the older staking was placed on the ground.

Please refer to the PRO letter to parties dated July 23, 2002 in page four of this decision (Attachment 2). When the recorder receives a dispute Subsection 48 (2) MA requires that notice be sent to the claim holder. The letter of July 23, 2002 is designed to satisfy 48 (2) MA as well as provide a caution that evidence of the staking is not to be altered. The caution, in a sense,

is a mere confirmation of what is clearly prohibited through Subsections 72 (1) (a) and 164 (1) (c) MA.

72. (1) Except as provided by section 73, all the interest of the holder of a mining claim before a lease has issued ceases without any declaration, entry or act on the part of the Crown or by any officer, and the claim is open for prospecting and staking out,

(a) if, without the consent in writing of the recorder or Commissioner, or for any purpose of fraud or deception or other improper purpose the holder removes or causes or procures to be removed any stake or post forming part of the staking out of such mining claim, or for any such purpose changes or effaces or causes to be changed or effaced any writing or marking upon any such stake or post;

Offences

164. (1) Every person who,

(c) defaces, alters, removes or disturbs any post, stake, picket, boundary line, figure, writing or other mark lawfully placed, standing or made under this Act;

is guilty of an offence against this Act and on conviction is liable to a fine of not more than \$10,000. R.S.O. 1990, c. M.14, s. 164 (1); 1996, c. 1, Sched. O, s. 29; 1997, c. 38, s. 1 (2); 1997, c. 40, s. 4.

The correspondence of July 23, 2002 did not prohibit the parties from entering on L 3000607. As long as no one attempted to change any of the staking, without an order authorizing it, there was no mischief and the parties were free to enter on Crown land the same as any other Crown land.

Mr. Marshall was not prohibited, in any way, from conducting assessment work on his mining claims. If a party is hesitant to invest time and money on a mining claim under dispute, there are remedies in law.

Lands upon which claim may not be staked out

30. (1) No mining claim shall be staked out or recorded on any land,

f) while proceedings in respect thereto are pending before the Commissioner or a recorder or until those proceedings are finally determined; or

67. (1)

(2) The time during which a proceeding in respect of a mining claim is pending before the recorder, the Commissioner or the Superior Court of Justice may be excluded in computing the time within which work on a mining claim must be performed or reported, or both, or within which an application and payment for a lease may be made, if the recorder or Commissioner is satisfied that any delay in settling the proceeding is not the holder's fault. 1996, c. 1, Sched. O, s. 18; 2000, c. 26, Sched. M, s. 17.

The above subsections apply legally to the parts of Cook Township where Jacques Robert intended to stake his mining claim L 3000607. Those parts of Lot 6 Concessions IV and V are not open to staking while there is a dispute proceeding before the recorder (30 {1} {f} MA). Also,

Royal Victoria may request the recorder or Commissioner, according to Section 67 MA, to exclude time. Mr. Marshall was free to conduct assessment work on his mining claims. It is regrettable that Mr. Marshall misunderstood the correspondence of July 23, 2002. Once again, however, I have no legal authority to “give back” the additional mining claims (to the south) that automatically forfeited when assessment work was not reported.

The missing surveyor’s lot and concession lines further confuse the issue. Mr. Marshall was planning to conduct assessment work on an area that he had thought to be within claims to the south. The new claim L 3000607 was staked so that it physically overlapped the area where Mr. Marshall would do his work. He alleges that he was prohibited from doing the work because the Ministry told him not to enter on claim L 3000607. As was already explained, Mr. Marshall misunderstood the correspondence of July 23, 2002. Had there been questions asked of the staff at PRO, the following explanation may have assisted Mr. Marshall.

The Ministry letter of July 23, 2002 does not prevent any assessment work from being performed. When there is a dispute against a mining claim, the holder of that claim may hesitate to do work until the outcome of the dispute is decided. While the claim holder chooses to wait for a decision on the dispute, the land is protected against further staking by Section 30 (1) (f) MA. Surrounding claims are not afforded that protection. Section 30 (1) (f) MA only applies to claim L3000607 and not to the surrounding mining claims. Likewise, Section 67 MA only applies to L3000607 and no other mining claims. The only proceeding pending before the mining recorder is the dispute filed against claim L 3000607 and no other mining claims are affected. The recorder, however, cannot settle the confusion with the missing survey evidence for Lot 6 Concessions IV and V. Only an Ontario Land Surveyor can properly locate the lot and concession lines. Sections 30 and 67 MA do not necessarily apply to the land surrounded by the corner posts for L 3000607. “Pending proceedings” and opportunity for “exclusion of time” applies to the minerals rights in the south ½ of the south ½ of Lot 6 Concession V and the north ½ of the north ½ Lot 6 Concession IV wherever that may be on the ground.

There are a number of phrases that have been adopted in an attempt to describe the rights to a mining claim in subdivided townships. One example is: “ You get what you call for, not what you stake.” At this moment neither the Ministry, Mr. Marshall nor Royal Victoria have definitive evidence that would explain where the legal rights to L 3000607 exist on the ground. The staker’s corner posts as placed by Jacques Robert do not define the legal right. The legal right is to parts of Lot 6 Concessions IV and V, Cook Township that was intended to be staked by Mr. Robert. The opinion of an Ontario Land Surveyor is necessary to settle the matter and perhaps the surveyor would be required to retrace the lot and concession lines on the ground (retracement survey). If the values warrant it, the claim holder may choose to hire a surveyor to find the boundaries. In some instances a survey is necessary for issuance of a lease for the mining claim and then the claim holder would be required to hire a surveyor to create a plan of survey for the parts of the lots included in the mining claim.

Fractions and overlaps do not exist in subdivided townships. Since the legal right is to the part of the lot intended to be staked, the legal claim fabric is orderly as it follows a retraceable grid as laid out in the original survey. The practical problem is that there cannot be certainty of boundaries unless one can find the lot and concession lines. Neither Royal Victoria nor Mr. Marshall knows for certain where Lot 6 is located on the ground. The only way to ensure that a geological target is included in the property is to hire an Ontario Land Surveyor or stake sufficient ground so that target is well “surrounded” by mining claims.

The Disputant presented an obvious question. How does one know if they have the showing if they cannot find the surveyed lines? In this apparent overlap where L 3000607 overlaps the forfeited Marshall claims, is the showing inside claim L 3000607 or is the showing within a claim to the south? The answer is that no one knows until the surveyed lot and concession lines are found on the ground. At this time Royal Victoria cannot be certain what mining claim contains the showing. Prior to loss of his mining claims Mr. Marshall could not prove what mining claim contained the showing.

In summary:

- The Provincial Mining Recorder is not authorized by the Mining Act to take the claim from one party and award the claim to another.**
- Section 110 MA requires me to make a decision regarding the validity of claim L 3000607 and I find that the staking of the claim did substantially comply with the Staking Regulation therefore the claim is valid.**
- A claim holder is not prohibited from conducting assessment work where there has been a dispute filed.**
- A claim holder cannot be certain of the legal boundaries of his or her mining claim, in a subdivided township, until the lot and concession lines can be found and it may require a retracement survey by an Ontario Land Surveyor.**

Roy Spooner