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Mastermet Cobalt Mines Refused Leave to Appeal

Mastermet Cobalt Mines Limited has been refused leave to appeal to the Supreme Court of Canada against a recent Ontario Supreme Court judgement. The mining company had sought leave to appeal the Ontario court's upholding of an Ontario Fuel Board order which authorized Northern Ontario Natural Gas Company to expropriate an interest in mine property for pipeline purposes.

The mining company has contended that before even applying to the Ontario Fuel Board, the pipeline trespassed on Mastermet property in the Cobalt area, and laid its pipeline through mine tailings containing valuable cobalt and silver.

It says the fuel board had no right to approve the gas company's subsequent application for expropriation, since the board cannot rectify an illegal act — the trespassing.

Mastermet applied for a writ of prohibition against the OFB oral order — not yet issued in writing — but its application was dismissed by the Ontario Supreme Court and an appeal failed.

Mastermet says this decision means in effect, that pipeline com-

panies can "ruthlessly trample upon the rights of the land-owner."

It interprets the Ontario decision as meaning that a pipeline company can dig its ditch and lay its pipe through private land and then apply for expropriation authority, if it wants to take a chance on the landowner claiming for damages in court.

This is what Mastermet has done. It now is claiming in Ontario Supreme Court for \$239,500 damages from Northern Ontario Natural Gas Company.

This action will continue despite Monday's refusal by the Supreme Court of Canada to uphold the writ of prohibition against the OFB order, the company indicated. However, it had wanted this point cleared up before proceeding with the damage suit.

Mastermet says the pipeline company trespassed on mine property and built the line through a part of that property covered to a depth of from five to 30 feet with mine tailing — ore already processed once in the mill and from which some, but not all minerals have been removed.

By breaking through the hardened crust of the tailings, the pipeline ditch had caused serious erosion that resulted in a loss of ore tonnage, Mastermet says.

Besides arguing against the OFB "curative" order, Mastermet also holds that expropriation of "land" does not include mine tailings.

One purpose in seeking leave to appeal was to have the tailings ruled as a chattel — not land. Mastermet said such a ruling would be of vital importance to mines both in Ontario and British Columbia. The Ontario Pipe Lines Act of 1958 does not define land, the company says.

Mayor Will Run Councillors Maybe

Contacted this week Mayor A. H. Cooke announced his intention of letting his name again stand for the office of Mayor. "There are times when I think I've had enough of it," said Mayor Cooke, "but then again, I think I'd miss it."

Councillor Neil Fleming says he will be in the running again, but hopes there will be enough nominees for an election. "I despise acclamations," he says.

Wilf Bailey, owing to the stress of other work, will not be letting his name stand for re-election.

Charles Camsell was undecided and Dr. W. C. Arnold, James Whelan and J. O'Grady could not be reached for comment.

CORRECTION

An error was made in reporting the building activities in Haileybury in last week's Haileyburian.

The amount spent THIS year exceeded LAST year's figures by \$193,155.

The correct figures are, in 1958, \$198,725, in 1959, \$391,980.



At the curling club on Saturday night, part of the team of Morrisette Drilling Company build up their strength for a winter of hard work in minefields from coast to coast.

Silver Miller Mines Expand Purchase New Silver Claims

A major land deal by Silver Miller Mines has been heralded in Cobalt as an indication of new activity by the company. Once the largest single employer at the camp, Silver Miller has provided work for only a handful since the mill was closed last February.

In a statement, the company announced the purchase of substantial areas of ground in the Cobalt camp, much of it never properly explored or developed. The statement said that should explorations prove favorable, then many years of steady production could be ahead for the mine.

The statement read:

"Silver Miller Mines, Limited, announces the purchase of all the mining claims adjoining its Lawson property formerly owned by Kerr Lake Mining Co. in the Cobalt district. The claims cover an area of more than 150 acres, much of which is still unexplored, and the company is now in the process of investigating these claims from underground.

"A recent exploratory diamond drill hole intersected encouraging silver and cobalt values in what is considered to be a very favorable structure.

"Government mining reports show that Kerr Lake produced 27 million ounces of silver up until the year 1922, while its neighbor to the north, the Crown Reserve recovered 20 million ounces.

"Negotiations have also been

consumated between Silver Miller and Conisil Mines, Ltd., whereby Silver Miller acquired an option to purchase all of Conisil's claims covering 95 acres, which lie adjacent to and immediately south of the Lawson property of Silver Miller Mines.

"This acquisition was highly recommended by James E. Armstrong, PE, who has been actively associated with mining operations in the Cobalt area for many years.

"These mining claims have never been tested at the favorable lower contact elevation, principally because the cost of access to this portion, which for the most part lies under the waters of Giroux Lake, was relatively prohibitive, however, from the workings of the Lawson property,

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Airport for Moosonee

The fate of Moosonee as a tide-water port may be settled next week in Ottawa. Representatives of both the province and federal authorities will meet to discuss the future of the project.

The conference has been called by Federal Public Works Minister David Walker. It will be attended by representatives of both governments and a group from the Ontario Northland Railway, headed by Colonel C. E. Reynolds who pioneered the idea.

In the meantime Colonel Rey-

nolds has stated that there is an excellent chance of getting a department of transport airport at Moosonee. The ONR chairman conferred with department of transport heads at Ottawa last week on the subject.

He has long contended that the airport would rapidly pay for itself, as it would drastically cut costs of flying supplies to Canada's northern outposts. At present planes flying perishables from Montreal have to stop at Val d'Or to refuel before flying north.

Northern Ski Club Has New Officers

A meeting of the Northern Ski Club was held in the Hotel Haileybury on November 12, at 7:30 p.m. Approximately 22 persons attended and all were pleased to hear that the ski club would be in full operation by Christmas time.

Through the medium of our newspaper we would like to thank all who contributed so generously to the club. Letters of thanks will be sent individually but the club would like to publicly acknowledge their thanks to the following: P. M. Fleming, Haileybury Town Council, Haileybury Recreation Commission, Cobalt Recreation Commission, Fleming Sales Ltd., Northern Telephone Co., Haileybury Lumber, Haileybury Hotel, various tools and supplies given by Murphy Lumber, P. F. Hardware, Temiskaming Hardware, Woods Hardware, Ontario Hydro, Pioneer Consultants, Morrisette Diamond Drilling Ltd.

Working crews have been going out to build ramps, make repairs to the Chalet, etc., and they would welcome assistance from anyone who could help.

The following list of officers was elected: president, M. Lavigne; 1st vice-president, T. Parry; 2nd vice-president, D. Bruce; secre-

tary, T. Damiani; treasurer, S. Valentine; publicity and public relations, Mrs. W. Bagshaw and Mrs. S. B. Bond.

The elected advisory board includes W. Inch, Cobalt; R. McKnight, New Liskeard; D. McKelvie, New Liskeard; K. Valentine, R. Fleming, I. Lytle, all of Haileybury; M. Ramey of the Mining School, Haileybury; Mrs. W. Bagshaw and Mrs. S. B. Bond, both of Haileybury.

The Senior Ski Patrol will be headed by Clarence Watson, John Caulfield, Don Bruce, Rein Kiilassa, Syd Bartle and Clark Billingham.

The following Junior executive was also elected: president, Peter Bond; treasurer, Bob Tyson; Chalet officer and committee, Jim Dawson, David Wigley and Harvey Westlake. Ski Patrol, Glen Watson, Bob Tyson, Peter Bond.

Social conveners and snack bar, Elaine Lowery, Kathy Murphy and Sally Whitby.

The following grouping of skiers was passed and membership fees set: Snowbirds, up to 12 years of age; juniors up to 16 years.

Fees: Juniors, \$2.50; Students, \$3.50; Seniors, \$5.00; Married couples, \$8.00; Family, \$10.00.



Northern Ski Club will operate again this year after a slight lapse, work has already been done on the runs and Chalet, and it is hoped that by Christmas the hills will again be black with skiers.