



The Mining and Lands Commissioner Le Commissaire aux mines et aux terres

File No. MA 014-95

L. Kamerman)
Mining and Lands Commissioner)

Tuesday, the 6th day
of August, 1996.

THE MINING ACT

IN THE MATTER OF

An appeal from the decision of the Mining Recorder for the Southern Ontario Mining Division dated the 9th day of June, 1995, under subsection 112(3) of the **Mining Act** for the recording of Mining Claim SO-1195093, situate in the Township of Cardiff, marked as "filed only";

B E T W E E N:

RENE DALLAIRE

Appellant

- and -

MINISTER OF NORTHERN DEVELOPMENT AND MINES

Respondent

- and -

MINISTER OF NATURAL RESOURCES

Party of the Third Part

O R D E R

WHEREAS THIS APPEAL was received by this tribunal on the 21st day of June, 1995;

AND WHEREAS on the 17th day of November, 1995, the Respondent requested, pursuant to Section 122 of the **Mining Act**, that security for costs in the amount of \$3,000 be posted by the Appellant prior to the hearing of this matter and a hearing of the Respondent's motion was held by telephone conference call on Wednesday, the 1st day of May, 1996;

AND WHEREAS on the 17th day of May, 1996, this tribunal ordered that the Respondent's motion was allowed and that security for costs in the amount of \$3,000 were to be filed and posted by the Appellant by the 1st day of August, 1996, or this appeal would be dismissed;

AND WHEREAS the Appellant did not file and post security for costs in the amount of \$3,000 by the 1st day of August, 1996;

1. THIS TRIBUNAL ORDERS that this appeal is hereby dismissed.

IT IS FURTHER DIRECTED under section 178 of the **Mining Act**, that the Mining Recorder for the Southern Ontario Mining Division record this Order without fee.

DATED this 6th day of August, 1996.

Original signed by

L. Kamerman
MINING AND LANDS COMMISSIONER