

*Mineral Ordinance.*

XIII. The interest of every Licensee under this Ordinance shall be deemed to have absolutely ceased and determined on the expiration or other sooner determination of his License, or any prolongation thereof, unless he shall have prior to such expiration or determination made application for a Crown Grant as herein provided; and on such expiration or determination a new Prospecting License over the same Mineral Land, or any part thereof, may be made to any new applicant entering into possession and complying with the requirements of this Ordinance.

On expiry of License land open to new comers.

XIV. Every Person, Association, or Company lawfully holding a Prospecting License under this Ordinance, and complying with its provisions, shall until the determination of such his, or their, holding, and for the purpose of more effectually carrying on Mining operations on the premises, be entitled to the free use, without compensation, of a reasonable quantity of any unoccupied and unappropriated Stone, Sand, Lime, and Timber which may be on the premises included in such License, and may erect such Buildings and Machinery, and make and use such roads and works within such limits, as he shall find necessary for the profitable conduct of his or their Mining operations.

Licensee may use stone, sand, lime, and timber.

XV. In case of any dispute, the right or title to or in a Prospecting License, and the possession of any claim or privilege under this Ordinance, will be recognised according to the priority of record or registration with the Assistant Commissioner, subject to any question which may be raised as to the validity of the record itself.

Priority of record priority of right.

XVI. The quantity of Mineral Land for Coal Mining to be granted to any Licensee duly applying for a Crown Grant, and fulfilling the conditions hereinafter in that behalf more particularly mentioned, will be for each Association or Company of ten or more persons not exceeding One Thousand Acres, selected out of the premises included in such License.

Quantity of land in Crown Grant.

Coal.

XVII. It shall be lawful for the Chief Commissioner of Lands and Works and Surveyor General, upon proof to his satisfaction of the necessity of such grant, and upon approval by him of the plan and sections of the proposed works, which must be submitted to him, and with the sanction of the Governor, to give to any person, Association, or Company holding a Prospecting License or Crown Grant under this Ordinance, by any writing under the hand of such Commissioner, a right of way for a road, canal, or railway from his Mining Claim to the sea shore, or other line of communication, for any purpose connected with such Licensee's or Grantee's Mining operations, with full power, by himself or themselves, his or their agents, servants, and workmen, and with and without horses, cattle, boats, waggons, carriages, or other conveyances, to enter upon, across, and into any lands or waters between the premises included in such License or Crown Grant and such shore, river, or other line of communication, upon paying reasonable compensation to the owner of such intermediate land for the portions so taken, or for the use so made.

Prospecting License to include right of road or railway to the sea.

Compensation to parties affected.

XVIII. The amount, time, and manner of such compensation, and the mode of distribution thereof among the parties claiming to be entitled thereto, shall, upon the application of either party, be fixed by the Assistant Commissioner of the District, and at his discretion, either with or without a jury consisting of not less than three nor more than five persons, which he is hereby empowered to summon for the purpose.

Amount how determined.

XIX. The decision of such Assistant Commissioner or jury (as the case may be) certified under the hand and seal of such Commissioner shall be final and without appeal; and every such Certificate shall be *prima facie* evidence, for all purposes whatsoever, of all the matters and things therein contained, in all Courts of the Colony.

Commissioner's certificate of amount final.

XX. Provided that nothing herein contained shall be deemed or taken to limit or affect the right of the said Chief Commissioner, acting on behalf of the Crown, to lay out and make public highways

Saving of right to make any public roads over lands derived from the Crown.