

SECTION.

36. If owner will not consent to appraisal, to be referred to arbitrators. Appointment of—Umpire.
37. If owner is unknown or refuses to appoint arbitrator.
38. Joint owners.
39. Award to be transmitted to Governor in Council.
40. Proceedings of award rejected—if confirmed.
41. Remuneration to proprietors.
42. When agreement or award confirmed title to pass to the Crown.
43. Rights of present lessees.
44. Cases in which owners entitled to free mines, &c. When allotted.
45. Commissioners may make other terms with approval of Governor in Council.
46. Lessee may surrender. His liability.
47. Penalty for mining, after notice for bidding same.
48. Each day's mining a distinct offence.
49. Proceedings of Justice on complaint of illegal mining. May adjourn.
50. Appeal.
51. Gold, &c., unlawfully mined to be considered property of owner of mine. Proceedings to recover same.

SECTION.

52. Other remedies of owners, &c., not affected.
53. Lessee may use area for necessary purposes.
54. Lessee on Crown Land to be lessee of soil.
55. Disputes relative to mines—how settled, &c. Appeal.
56. Proceedings on Appeal.
57. Pending an Appeal, holder of mine to keep account and give bonds, &c.
58. Appeals—how tried, &c.
59. Papers to be sent to Prothonotary.
60. Jury.
61. Decision of Judge not final. Appeal—No stay of proceedings. Bond to be given.
62. New trial—Costs.
63. Bailiff and Deputies—Appointment of—power to—
64. Police force—Appointment of—powers, &c.
65. Lock-up house.
66. Lessees paying larger rent than established by this act to have credit for surplus.
67. In cases not provided for—rules to be made by Governor in Council. Proviso.

Be it enacted by the Governor, Council and Assembly, as follows :

After passing of Act—order of Council to be of no effect.

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Definition of terms, "Mine,"

"To mine,"

"Gold bearing Quartz,"

"Gold elsewhere than in rock,"

"Uncultivated lands."

1. From and after the passing of this Act, all rules, regulations and orders of Council relating to the gold fields of Nova Scotia, and the claims of applicants, shall cease and be of no effect, saving always, nevertheless, and reserving the rights of all persons created thereby and thereunder, except so far as the same are or may be affected or qualified by this Act.

2. The word "mine" in this Act, shall mean any locality in which any vein, stratum, or natural bed of auriferous earth or rock, shall be worked. The verb "to mine," in this Act, shall include any mode or method of working whatsoever, whereby the earth, or soil, or any rock may be disturbed, removed, washed, sifted, smelted, refined, crushed, or otherwise dealt with, for the purpose of obtaining gold, and whether the same may have been previously disturbed, or not.

3. Gold bearing quartz shall be held to mean all auriferous rock *in situ*.

4. Gold elsewhere than in rock *in situ*, shall mean alluvial or placer diggings.

5. The term uncultivated land, shall be held to mean, if upland, unploughed lands; if intervale or meadow lands, such as are in a natural state, or such as have not been stamped