

shall be marked "Substituted certificate," and unless some material irregularity be shown in respect thereof, every original or substituted free miner's certificate shall be evidence of all matters therein contained.

Noncertified person not entitled to mining property.

9. Subject to the proviso hereinafter stated, no person or joint stock company shall be recognized as having any right or interest in or to any mineral claim, or to any minerals therein, or in or to any water right, mining ditch, drain, tunnel, or flume, unless he or it and every person in his or its employment, shall have a free miner's certificate unexpired. And on the expiration of a free miner's certificate the owner thereof shall absolutely forfeit all his rights and interests in or to any mineral claim, and all and any minerals therein, and in or to any and every water right, mining ditch, drain, tunnel, or flume, which may be held or claimed by such owner of such expired free miner's certificate unless such owner shall, on or before the day following the expiration of such certificate, obtain a new free miner's certificate. Provided nevertheless, should any co-owner fail to keep up his free miner's certificate, such failure shall not cause a forfeiture or act as an abandonment of the claim, but the interest of the co-owner who shall fail to keep up his free miner's certificate shall, *ipso facto*, be and become vested in his co-owner's *pro rata* according to their former interests. Provided, nevertheless, that a shareholder in a joint stock company need not be a free miner, and though not a free miner, shall be entitled to buy, sell, hold, or dispose of any shares therein. And provided, also, that this section shall not apply to mineral claims for which a Crown grant has been issued. Provided, always, that if any person or company shall acquire, by purchase or otherwise, any mine or mineral claim, or interest therein, and it shall appear that some person or company through whom he or it claims title has neglected to take out or keep up a free miner's certificate, according to the provisions of these Regulations, such person or company so acquiring such mine or mineral claim, or interest therein, may, within one month from the time when he or it shall first acquire knowledge thereof, pay to the Mining Recorder of the district in which the claim affected is situate the fee or fees which ought to have been paid by such person or company in default as aforesaid, and thereupon the title of such person or company so acquiring the said mine or mineral claim, or interest therein, shall be deemed to be and always to have been as good and effectual as if no such default had occurred.

Where a free miner may mine and prospect.

10. Every free miner shall, during the continuance of his certificate, but no longer, have the right personally, but not through another, to enter, locate, prospect, and mine upon any vacant Dominion lands for all minerals other than coal, and upon all lands the right whereon to so enter, prospect and mine all minerals other than coal has been, or hereafter shall be reserved to the Crown, and also to enter, locate, prospect and mine for gold and silver upon any lands the right whereon