

To be accom-
panied by plan.

Governor in
Council may
order unculti-
vated lands to
revest in Crown

Commissioners
to negotiate
with owners for
purchase.

Proceedings in
case they can-
not agree.

If owners will
not consent to
appraisement,
to be referred
to arbitrators.

Appointment of
Umpire.

by a plan of such lands, and of so much of the adjoining lands as may be necessary to render the same intelligible, and so many of the particulars required to be set forth in the report as can be conveniently exhibited on a plan, shall be delineated thereon; and the cultivated lands, if any, owned by the proprietors, together with the houses or other buildings thereon, shall be laid down on such plan. The Governor in Council may set aside, modify, alter, or confirm such report, and may order that the uncultivated lands specified therein, or any defined portion thereof, shall be revested in the Crown.

35. When lands are ordered to be revested, and in any other case when thereto required, the Gold Commissioner, or the Deputy Gold Commissioner, shall negotiate with the owners, if they are known and can be found, for the purchase of their lands, or of so much thereof as may from time to time be required, on the terms of payment for the same, being made out of the Treasury, as each area shall be leased at a certain fixed rate per area, of class number one; and as regards any cultivated or other lands for ascertaining the amount to be paid in full, in respect of any damage thereafter to accrue from the working of the mines, payment to be made in like manner. In case the Commissioner cannot agree with a proprietor, he shall make an appraisement in writing of the actual value per area of class number one, of the uncultivated land ordered to be revested, and of the damages per area of the rest of the land required for mining purposes. Such appraisement, if approved by the Governor in Council, shall be published for at least thirty days in the "Royal Gazette" newspaper, and by handbills posted up in at least three public places in the gold district. If the proprietor shall within thirty days after such publication in the "Royal Gazette" signify in writing to the Commissioner his assent to the terms of such appraisement, he shall be entitled to receive out of the treasury, as each area shall be leased, the appraised value thereof, together with an addition of twenty-five per cent. thereto, and shall also be entitled to free claims, as hereinafter provided.

36. In case of such assent from any cause not being signified, the Governor in Council shall appoint one arbitrator, and the proprietor another, who shall be sworn in the form Schedule F., hereto annexed, to the impartial discharge of the duties assigned them, and who shall award the compensation per area, to be paid as aforesaid, estimating the value of the same irrespectively of any enhancement thereof from the supposed existence of gold therein, or in the neighborhood. In case the arbitrators cannot agree, they may select a third arbitrator. If they cannot agree in such selection, the Custos of the County in which the property lies, shall name the third arbitrator, who shall be sworn as aforesaid, and the award of any two of the three arbitrators, made in writing, shall be valid.