

**PROVINCE OF NOVA SCOTIA  
DEPARTMENT OF NATURAL RESOURCES  
THE TREASURE TROVE ACT  
LICENSE**

His Honour, the Governor in Council, on the report and recommendation of the Minister of Natural Resources, and pursuant to Order in Council Number 1998-418, dated the 18th day of August, A.D., 1998, and pursuant to Sections 3 and 4 of Chapter 477 of the Revised Statutes of Nova Scotia, 1989, the *Treasure Trove Act*, is pleased to grant and hereby grants a license on such terms and conditions as are specified by the Minister of Natural Resources herein, to Mr. Robert S. Young of Chester, Nova Scotia, hereinafter referred to as the "Licensee" for a period of five (5) years commencing the 2nd day of July, A.D., 1998 and ending on the 1st day of July A.D., 2003, to search for treasure, treasure trove, precious stones and metals in a state other than their natural state, and to recover and retain the same upon payment to the Minister of Natural Resources of a royalty thereon at such a rate as prescribed and described in Paragraph 5 of this license, in the area described in Schedule 'A' and outlined in Schedule 'B'.

The Licensee shall comply with the following terms and conditions:

1. The Licensee shall comply with the laws of Canada and the Province of Nova Scotia, including, without restricting the generality of the foregoing, the *Treasure Trove Act*, R.S.N.S. 1989, c.477, the *Environment Act*, S.N.S. 1994-95, c.1, the *Occupational Health and Safety Act*, S.N.S. 1996, c.7, or policies related to such act as administered by the Nova Scotia Department of Labour, and the *Special Places Protection Act*, R.S.N.S. 1989, c.438.
2. This license shall not be transferred or assigned without the prior written permission of the Minister of Natural Resources.
- 3.(1) No Licensee shall enter or search upon private lands except with the consent of the owner, tenant or occupant thereof or under special license from the Minister of Natural Resources.
- 3.(2) The Licensee shall not commence or undertake any surface or underground excavation except under the authority of an excavation permit issued by the Registrar in accordance with the Regulations made pursuant to Section 101 of the *Mineral Resources Act*, S.N.S. 1990, c.18, any amendments thereto or any replacements thereof.
- 3.(3) The Licensee shall not enter or search upon any Crown land without having first secured the written consent of the Department of Natural Resources.

4.(1) The Licensee shall perform the work set out in the program contained in Schedule 'C' attached hereto.

4.(2) The Licensee shall comply with any directive made by the curator of Special Places pursuant to the *Special Places Protection Act*, R.S.N.S. 1989, c.438.

4.(3) When the Licensee discovers or recovers any precious stones or metals in a state other than their natural state, or any treasure or treasure trove, including any historical objects, whatsoever, he shall forthwith make a report in writing, verified upon oath, to the Minister of Natural Resources, setting out full particulars of all the articles, treasure, treasure trove, precious stones or metals so discovered or recovered, the location of the discovery and the place at which the said articles, treasure, treasure trove, precious stones or metals may be inspected by the Minister of Natural Resources or by some person on his behalf.

4.(4) The Licensee shall make and give a copy of the report in subsection 4(3) to the Curator of Special Places at the Nova Scotia Museum, 1747 Summer Street, Halifax, Nova Scotia, B3H 3A6.

5. The Licensee shall pay and deliver, which conveyance is free and unencumbered, a royalty to Her Majesty the Queen in Right of the Province of Nova Scotia, as represented in this behalf by the Minister of Natural Resources. The royalty is set at the rate of (a) ten percent (10%) of value; or (b) a portion of the precious stones and metals, including currency, which have been recovered under the authority of this license granted hereby, and which in the opinion of the Minister of Natural Resources and the Chair of the Priorities and Planning Committee is equal in value to ten percent (10%) of the value of all such objects recovered under this license.

The option of royalty rate or portion of recovery shall be at the discretion of the Minister of Natural Resources.

6. The Minister of Natural Resources may upon the payment of the royalty prescribed by this license, confirm to the Licensee the right to retain for the Licensee's own use and benefit any precious metals or stones in a state other than their natural state, and SUBJECT to any law to the contrary, the right to retain treasure or treasure trove discovered and recovered by the Licensee within the area covered by this license.

7. The Licensee shall not remove from the Province of Nova Scotia any historical object or artifact recovered in the course of exploration during the term of this license, and the Licensee agrees to deliver such historical objects or artifacts to the Nova Scotia Museum, aforementioned, pursuant to Section 8, *Special Places Protection Act*, R.S.N.S. 1989, c.438.

8. Any breach of any term or condition under this license shall entitle the Minister of Natural Resources to revoke this license forthwith and, in addition to any remedy available at law, the

Minister may declare any treasure, treasure trove, article, precious stones or metals to belong to the Crown absolutely and the Licensee shall without further demand or action, deliver the same forthwith to the Minister.

9. The rights granted by this license are subject to all applicable federal and provincial laws and any right, title or interest of Her Majesty the Queen in right of Canada in or to any treasure, treasure trove, precious stones or metals in a state other than their natural state.

In Witness Whereof this license is duly executed in the name of the said Minister and under his seal of office this 28<sup>th</sup> day August of 1998, at Halifax in County of Halifax.

SIGNED SEALED AND DELIVERED  
IN THE PRESENCE OF

Mary E. Jones  
Witness

Ken MacAskill  
Minister of Natural Resources

Schedule A - Schedule of Lands  
Schedule B - Map of Area  
Schedule C - Work Program  
Schedule D - Special Conditions

**Schedule A**  
**Schedule of Lands**  
**Mr. Robert S. Young**  
**Treasure Trove License**

The land mass of Plum Island and Lot 5 only of Oak Island to the mean high water mark in each case.

Schedule B - Map of Area

Mr. Robert S. Young  
Treasure Trove License

