

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday, the Thirteenth Day of February, 1823, in the Fourth year of the Reign of our Sovereign Lord George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith &c. &c. being the Third Session of the Twelfth General Assembly, convened in the said Province.

4 George IV – Chapter 25

An Act for the preservation of His Majesty's Rights in Coal Mines.

Whereas, sundry persons have, without leave or permission, presumed to dig, and carry away, large quantities of coal from the mines, veins and seams, of coal reserved for His Majesty's use in this province, which practice is prejudicial to the rights of the Crown:

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, that any person or persons who may be convicted as hereinafter directed, of opening or digging in any mine, vein or seam, of coal, within this province, or raising or taking from the same any quantity of coals, without leave, in writing, first obtained for that purpose, from the Governor, Lieutenant-Governor, or Commander in Chief for the time being, every such person or persons shall be adjudged to forfeit and pay to Our Lord the King a sum not exceeding twenty-five pounds, upon conviction in any of His Majesty's courts of record in this province, on bill, plaint or information, there filed and exhibited against any such offender or offenders.

II. And be it further enacted, that in case any quantity of coals, not less than two chaldrons, the produce of this province, shall be found laden on board of any boat or vessel, of any denomination or description, within any river, creek, bay, port or harbour, of this province, or within one league of the shore thereof, it shall and may be lawful for any officer of His Majesty's customs, or of the impost and excise department, if duly and properly authorised for that purpose, to seize and take all such coals as forfeited to His Majesty, unless the person or persons in charge of every such boat or vessel shall produce to such officer or officers a certificate, in writing, being of such form as the Governor, Lieutenant-Governor, or Commander in Chief for the time being, shall hereafter direct and establish, for the purpose of shewing that such coals have been dug, raised or taken, from the mines, seams or veins, of coals belonging to His Majesty, in this province, by some person or persons duly authorised and licensed for that purpose as aforesaid.

III. And be it further enacted, that it shall and may be lawful for the officer or officers who shall so seize any quantity of coals not less than two chaldrons, if unaccompanied with the certificate aforesaid, to unload, land, and put such coals on shore, as speedily as possible, from the boat or vessel in which the same may be found laden as aforesaid, and to prosecute the same to final condemnation in any of His Majesty's courts of record in this province, and one half the neat proceeds of such coals shall, after condemnation, go, and be

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paid, to His Majesty, and the other half to the officer who shall make and prosecute such seizure.