

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Wednesday, the First day of February, 1826, in the Seventh 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 Sixth Session of the Twelfth General Assembly, convened in the said Province.

7 George IV – Chapter 9

An Act to authorise the Incorporation of a Company for working certain Mines of Iron in the County of Annapolis.

Whereas, in some grants of land formerly made by His Majesty within this province, mines of iron and iron ore were not reserved for the crown, but were transferred and conveyed by His Majesty to the persons named in such grants; and whereas certain persons have associated themselves together for the purpose of working such mines of iron and iron ore, as have been so as aforesaid granted by His Majesty:

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, that it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, by letters patent under the great seal of this province, to make, erect and incorporate, all and singular the persons so associated as adventurers in, or parties to, the said undertaking, or their assigns, into one body politic and corporate, in deed, and in name, under the title of the Annapolis Iron Mining Company; and, by that name, to have succession, to sue and be sued, to have a common seal, and to possess and enjoy such powers with respect to the choice of president, and other officers, making bye-laws, and regulating the affairs of the said company, as shall be expressed in the same letters patent.

II. And be it further enacted, that the said company, when so incorporated, shall, and they are hereby declared and made capable in law, to have, hold, purchase, receive, possess, enjoy, and retain lands, rents and tenements, monies, goods, chattels and effects, to the amount of fifty thousand pounds, and no more at any one time; and also to sell, grant, demise, alien, or otherwise dispose of, such lands, tenements, rents, monies, goods, chattels, and effects, at their free will and pleasure.

III. And be it further enacted, that in such letters patent, the necessary officers of such corporation shall be named and designated, and proper persons appointed to be such officers for the first year, and that the said corporation may make, establish, and put in execution, such laws and regulations as may be necessary for carrying into effect the said purposes of the said association, for levying the assessments, and for the government of the said corporation. Provided, the same shall in no case be repugnant to the laws of this province.

IV. And be it further enacted, that the capital or joint stock of the said corporation shall be divided into such and so many shares, as the said corporation, by their bye-laws or

ordinances, shall, from time to time, appoint; and such shares shall be transferable, and be conveyed in such manner, and under such restrictions and conditions as in such bye-laws shall be appointed.

V. And be it further enacted, that the joint stock or property of the said corporation shall first be responsible for the debts and engagements of the said corporation, shall, on any pretence whatsoever, have recourse against the separate property of any present or future member of the said corporation, beyond the amount of the shares or stock held by such individual member in the said corporation, or against their persons, further than may be necessary to secure the faithful application of the funds of the said corporation.

And to the end that inconvenience, delay and expense, may be avoided in ascertaining whether His Majesty has granted the iron ore found in and upon any lands that may come to the possession of the said company—

VI. Be it further enacted, by the authority aforesaid, that whenever the said company shall be desirous of opening any mine or miens of iron or iron ore, and before they shall proceed to work the same, the president of the said company shall transmit to the surveyor-general of the province, an abstract of the grant of the lands in and upon which the said company shall intend to open mines, and dig iron, or iron ore, containing in such abstract the date of the grant, the name of the governor who made the same, a description of the lands therein granted, and the name or names of the grantees; and also, the whole of that part of the grant in which it is supposed His Majesty has conveyed and transferred to the grantee, his right in such mines; and if upon comparing the same with the record of the said grant, the said surveyor-general shall find that the same is a correct abstract of the grant, and that His Majesty's right in mines of iron is granted therein, he shall certify the same under his hand to the Governor or Commander in Chief for the time being, which said certificate shall be written upon the said abstract, or annexed thereto; and if the Governor or Commander in Chief, for the time being, shall be satisfied with such certificate, and that His Majesty has granted His right to the iron, and iron ore, in and upon such land, and shall signify such his satisfaction in writing, under his hand and seal at arms, to be indorsed upon the said abstract, or annexed thereto; then the said company shall and may proceed to open and work any mines of iron, or iron ore, found in and upon the lands described in such grant and abstract; and the said certificate of the surveyor-general, and assent and satisfaction of the Governor or Commander in Chief, as aforesaid, made and signified, shall be adjudged, and taken to be full and perfect evidence that His Majesty has granted the mines of iron and iron ore in and upon the said lands; and the said company shall never thereafter be hindered, sued, or prosecuted, by His Majesty, his heirs, or successors, for opening and working such mine or mines.

VII. And be it further enacted, by the authority aforesaid, that if the said company, or any of the persons belonging thereto, shall knowingly and wilfully dig, take, or carry away, any iron, iron ore, or other mineral, in, upon, or from any land or place, where the same iron, iron ore, or other mineral, shall not have been expressly granted by His Majesty, either to the said

company, or to some person or persons from whom the said company shall have purchased or procured the same – that then, and in that case, the said letters patent shall cease and be void; and all the powers, rights and privileges, of the said corporation, and the persons composing the same, shall cease and determine in the same manner, as if this act had not been made.

VIII. And be it further enacted, that nothing herein contained shall extend, or be construed to extend, to prevent any other company, or persons, to whom His Majesty shall at any time grant permission or licence therefor, from working any iron mines, and digging ore therefrom, or at all to interfere with His Majesty's rights in mines and minerals.

IX. And be it further enacted, that this act, nor any clause thereof, nor any thing herein contained, shall extend, or be construed to extend, to invest the said company with any power, right, or authority, to work any mines of iron, or to procure or raise any iron ore, or to manufacture any iron, in, from, out of, or upon, any lands whatever, in which any mines of iron, or iron ore, are, and is, or may be, reserved to the crown, or which are, and is, or may be, in any manner, vested in the crown, of which the crown has not been, and is, or may be divested, nor in any manner to interfere with, infringe, or prejudice the rights, privileges and prerogative of the crown, nor the rights, privileges, property, or interest of any individual or individuals, unless upon full and proper grant, deed, lease, licence, permission, or other sufficient authority from the crown, or from such individual or individuals as may have property or interest therein, to the said company.

X. And be it further enacted, that the said letters patent shall continue and be in force for the space of ninety-nine years from the passing thereof, and no longer.

XI. And be it further enacted, that the act, made and passed in the last session of the general assembly, entitled, "An Act to authorize the incorporation of a Company for working Mines of Iron, and manufacturing Iron in the County of Annapolis," and every matter, clause and thing, therein contained, shall be, and the same are hereby wholly repealed.