

Ordinances of the Lieutenant Governor and Council of His Majesty's Province of Cape Breton passed in the year 1787. National Archives of the United Kingdom CO 219/1.

27 George III – Chapter 4

An Ordinance for Punishing Criminal Offenders in the Island of Cape Breton and Its Dependencies.

Be it Ordained and Ordered by the Lieutenant Governor, by and with the advice and Consent of His Majesty's Council and by the Authority of the same. It is hereby Ordained and Ordered.

That if any Person or Persons either by the Subordination, unlawful procurement sinister Persuasion or means of any other, or by their own Act, Consent or agreement shall willingly commit Perjury every Person so offending and being thereof duly Convicted shall forfeit twenty Pounds, the one Moiety thereof for the Support of His Majesty's Government and the other Moiety to such Person or Persons as shall be grieved by reason of the offence. Recoverable in any Court of Record and shall also be imprisoned by the Space of Six Months without Bail or Main Prize and the Oath of Such Person or Persons shall not be received in any Court of Record until such Time as the Judgement given against the said Person or Persons shall be reversed and upon every such reversal the Parties aggrieved shall recover their Damages against such Person or Persons as did procure the said Judgement so reversed to be given against them or any of them, by his, her, or their Action upon the Case according to the Course of the Common Law.

And if the said Offender or Offenders shall not have ^any Goods or Chattels to the value of Twenty Pounds, then he, She, or they shall be set on the Pillory by the space of one whole Hour, and both his Ears shall be cut off and nailed to the Pillory and from thenceforth such Offender shall be discredited and disabled forever to be Sworn in any Court of Record until such Time as the Judgement shall be reversed.

And It is further Ordained, That every Person and Persons who shall procure any Witnesses themselves by Letters, Rewards, Promises or by any other sinister and unlawful Means whatever to Commit any wilful Perjury in any matter or Cause whatsoever every such Offender being thereof duly Convicted shall suffer the like Pains ~~and~~ Penalties ~~and~~ Forfeitures and Disabilities in ~~every~~ ^all respects as are hereby directed for the like Offences and the said Forfeitures to be recovered and applied in manner aforesaid.

And be it further Ordained that all Judges and ^the Justices of Assize and Goal Delivery and the Justices of the Peace at their Quarter Sessions, shall have power to enquire of all Offences of wilful Perjury and Subordination of Perjury and thereupon to give Judgement, Award Process and Execution of the same. Provided that the authority of any Judge having absolute Power to Punish Perjury before the making this Ordinance shall not be restrained but that they may Proceed to Punishment of the same in such wise as they might have and used to do, so that they Set not upon such offender less Punishment than is before directed.

Approved, Ordained, and Ordered
accordingly in Council this
3d. Day of February 1787. in
the 27th Year of His Majesty's
Reign.

J. F. W. Des Barres

Passed in Council
the 3d day of July
1787. }

(Signed) Alexr Haire
Geo. Rodgers.
Ranna Cossit.
Geo. Moore