

Schedule of Ordinances passed in the Government
of Cape Breton from the arrival of Lieutenant
Governor Macarmick to the 1st of Sept^r 1788.

W. Macarmick
Lieut. Gov. of Cape Breton

An Ordinance in addition to and amendment
of an ordinance made and passed the 11th day of
August in the Twenty fifth year of His present
Majestys Reign and in the year of our Lord 1785
intitl'd "An Ordinance for regulating and restraining
"the retailing of spirituous Liquors in small
"quantities without Licence"

Whereas it has been found by experience
that the good purposes intended by the said Ordinance
made and pass'd as aforesaid have not been effectu'd
and that some further Rules and regulations are
necessary to prevent the Evils and disorders occasioned
by retailing in small quantities distilled spirituous
Liquors and Strong Waters within the Island of
Cape Breton and its Dependancies.

Be it therefore Ordained and ordered
by His Honor the Lieutenant Governor by and with
the advice and Consent of His Majesty's Council
and by the Authority of the same that from and
after the public notification of this ordinance
by proclamation or otherwise in the respective Towns
Shops and Settlements in this Island and its
Dependancies All Licences that have been hitherto
Granted for retailing Spirituous Liquors and
Strong Waters

Further rules are necessary
to prevent the evils occasioned
by retailing distilled spirits

all Licences hitherto
granted to cease and
be null & void

strong Waters within the same, shall cease determining
 and be utterly null and void. And all and every
 Person and Persons who shall hereafter within such
 Townships and Settlements respectively by them-
 selves their Wives Children or Servants, procure or
 sell or dispose of by Retail any distilled spirituous
 Liquors or strong Waters mixed or unmixed without
 first obtaining a Licence for so doing bearing Date
 after the Notification of this Ordinance under the
 hand and Seal of the Governor or Commander in Chief
 for the time being or such Person or Persons as he
 shall think fit to appoint for that purpose each
 and every such Offender and Offenders shall be
 liable to forfeit and pay for each and every such
 Offence the Penalties, forfeitures Fines and Charges
 and suffer such other Pains and Punishments as
 in and by the before in part recited Ordinance
 Persons retailing spirituous Liquors without
 Licence are liable to pay forfeit and suffer.

any Person selling by retail
 without a Licence to forfeit
 nine Pounds

And Be it further Ordained and Ordered
 by the authority aforesaid that all and every Person
 and Persons hereafter to be Licensed to retail
 distilled spirituous Liquors or strong Waters
 shall before receiving such Licence enter into a
 Bond with two sufficient Sureties in the Penal
 sum of Twenty Pounds each to such Person or
 Persons as the Governor or Commander in Chief
 for the time being shall appoint for the use of
 His Majesty and service of this Government
 Conditioned that such Licensed Person or Persons
 shall during the Continuance of such Licence

all Persons receiving a Licence
 to find two Sureties in £20 each
 for their due observance of
 all Rules established or
 which shall ^{be} ordain'd
 hereafter

yield

yield strict and due obedience and in all things conform to all the laws, Ordinances, Rules and Regulations which shall then be in force or hereafter shall be made by the Legislature of this Government respecting such Licenced Retailers.

And Be it further ordained and Ordered by the Authority aforesaid That no Person or Persons Licenced or to be Licenced as aforesaid shall entice or encourage any menial Servant or Servants knowing them to be such to sit drunk or Tittle in Company or alone, in the House, Out houses or other Places belonging to such Licenced Retailer or Retailers any distilled Spirituous Liquors or strong Waters mixed or unmixed under the Penalty and forfeiture of Twenty Shillings for each and every offence.

And Be it further Ordained and Ordered by the Authority aforesaid that upon all Licences to be Granted as aforesaid the following Fee shall be allowed and taken over and above the Fee allowed in the before in part recited Ordinance to wit to the Governor or Commander in Chief for the time being Three Pounds Ten Shillings and to the Clerk of the Licences or such Person or Persons as the Lieutenant Governor or Commander in Chief for the time being shall appoint for taking the Bond Ten Shillings

And Be it further ordained and ordered by the Authority aforesaid That all and every Person and Persons to be appointed in
all

No Person Licenced, to encourage Servants to Tittle under the penalty of 20 shillings

Fees on Licence
Governor £3:10:0
Clerk of Licence - 1:0:0
Fee on bond - 10:0
£5.00

all parts of this Government except the County of Sydney shall have the same Powers and authority in their respective Jurisdictions and observe the same Rules order and Regulations as are in and by the before in part recited Ordinance or this Ordinance prescribed and directed as the office and duty of the Clerks of the Licences.

Deputies to the Clerks of Licences to have the same power in our Districts as the Clerk has in the County of Sydney

And Be it further ordained and ordered by the authority aforesaid That all Fines Penalties and Forfeitures which shall be levied recovered and paid by virtue of this or the before in part recited Ordinance shall be divided paid and applied in manner following that is to say one moiety thereof to His Majesty for the public use of this Government and the other moiety to him her or them who shall inform or sue for the same.

all fines to be applied half to the King, half to the informer

And Be it further ordained and ordered by the authority aforesaid That this Ordinance and the before in part recited Ordinance shall be publicly read at the opening of every Session of His Majesty's Supreme Court and of every Court of General Quarter Sessions of the Peace immediately after the Grand Jury are sworn and before the charge is given and such respective Grand Jury shall be charged to enquire of and present all offenders against the said Ordinance and all such Presentments shall

This ordinance to be read at the opening of every Supreme Court and Quarter Sessions

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all presentments to be
tried in the Court of
Quarter Sessions for
the County where the offence
shall be charged -

shall be heard tried and determined in the Court
of General Quarter Sessions of the Peace for the
County in which the offence shall be charged
to have been committed in like manner as if the
Case had come before said Court by Appeal.

And Be it further ordained and ordered
by the authority aforesaid That all and every
Person and Persons hereafter to be Licensed to
Retail distilled Spirituous Liquors and strong
Waters shall not suffer or permit any Spirituous
Liquors or strong Waters to be sold or drank in
their respective Houses on Sundays nor after
the Hour of Eighth o'clock in the evening on any
other day except to Strangers and Travellers
under the Penalty of forfeiting for every such
offence the sum of Twenty Shillings.

No spirit to be drunk
in publick Houses on
Sundays - nor after eight
o'clock in the evening
on other days

Approved Ordained and Ordered
accordingly in Council this
Twenty first day of November
1707 in the Twenty eighth year of
His Majesty's Reign

Wm Macarmick

Passed in Council
this 21st day Novemb^r 1707

R. Gibbons.

And copy faithfully compared
with the original
A. Huxley

An Ordinance for the preservation of Moose
and Carraboo in the Island of Cape Breton
and its Dependancies.

Whereas it is apprehended that the
frequent killing of Moose and Carraboo for the
sole purpose of taking their skins and leaving
the carcasses to rot and perish upon the Earth
is very injurious to the Settlement and as
there is much reason to fear the same evil
practices will be continued

Killing Moose and
Carraboo for their skins
injurious to the Settlement

Be it therefore ordained and
ordered by His Honor the Lieutenant Governor
by and with the advice and consent of His Majesty's
Council and by the authority of the same That from
and after the publication hereof every Person
and Persons killing Moose and Carraboo on this
Island and its Dependancies shall bring with all
convenient speed every Carcass of Moose and
Carraboo so killed by him her or them to the
public Market place except what may be
necessary for the supply of themselves and
families or what may be otherwise sold
for the use of the Inhabitants

Persons killing Moose or
Carraboo shall bring the
Carcass to market except
what is wanted for their
own families -

And Be it further ordained and
ordered by the authority aforesaid That from
and after the publication hereof if any Person
or Persons shall presume to kill Moose and
Carraboo and leave the carcasses to rot and
perish

perish upon the Earth, upon due Conviction thereof upon the oath of one Witness before one of His Majesty's Justices of the Peace or upon view of any Justice of the Peace for every such offence and for every Carcass so left as aforesaid the Offender or Offenders shall forfeit and pay the sum of five Pounds one Moiety to be paid to the Person or Persons who shall inform or prosecute, and the other Moiety to be paid into His Majesty's Treasury for the use of this Island, and in case of nonpayment the same to be levied by distress and sale of the Offender or Offenders Goods and Chattels together with the Charges of such distress and sale by Virtue of a Warrant from a Justice of the Peace who is lawfully empowered to grant the same.

Person, convicted of leaving the carcass to rot on the ground upon the oath of one witness before a Justice of the Peace shall pay a fine of 5 £ for every carcass - half to the King and half to the Informer

And Be it further Ordained and Ordered by the authority aforesaid That if the distress and Sale of the Offenders Goods and Chattels be not sufficient or if no Goods and Chattels the Property of the Offender can be found, the Person or Persons convicted as aforesaid shall be committed to His Majesty's Goal for the space of three months unless the Penalty and Costs of Prosecution shall be sooner paid and satisfied.

Offenders having no property to be committed to Goal for three months

Approved Ordained and Ordered accordingly in Council this Twentieth day of November 1707 in the Twentieth eighth year of His Majesty's Reign.

Wm. Mearns

Passed in Council this 21 day of November 1707.

R. Gibbons

A true Copy faithfully compared with the original