

Ordinances of the Lieutenant Governor and Council of His Majesty's Province of Cape Breton passed in the year 1788. National Archives of the United Kingdom CO 219/1.

28 George III – Chapter 1

An Ordinance to prevent Persons leaving this Island or its Dependencies without first having obtained a pass for that purpose.

Whereas great Injustice is often done to Creditors by Persons in their debt privately leaving this Island and its Dependencies. Be it therefore ordained and ordered by His Honor the Lieutenant Governor by and with the advice and Consent of this Majesty's Council. And it is hereby Ordained and Ordered by the authority of the same that all and every person or persons intending to leave this Island or its Dependencies shall at least three weeks before their intended Departure put up a notice of such their intentions at the Office kept by the Secretary of this Island at Sydney or at the office of any of his Deputies in any other of the Ports of this Island or its Dependencies. Provided such person or persons have been resident at the place of which such notice shall be put up for at least six Weeks before putting up of the same, and upon the outer Door of their respective Habitations and dated on the Day on which such Notice is put up, and at the expiration of the said three Weeks in Case in shall not have been made appear to the said Secretary or his Deputy at the place of Residence that the said person or persons who have put up such Notice have after putting up the same secreted themselves or avoided any process that may have been issued against them or that no suit or suits are depending against such Person or Persons in which special Bail cannot be acquired, It shall and may be lawful for the said Secretary or his proper Deputy, and they are hereby required to Grant to such persons a Pass for leaving this Island and its Dependencies for which Pass the said Secretary or his proper Deputy is hereby authorised and empowered to demand and receive the sum of one shilling and no more.

And Be it further ordained and ordered by the Authority aforesaid that all Passes to be Granted by the said Secretary or his Deputy to any Person or Persons for leaving this Island and its Dependencies shall be in Person following vizt.

“Island of Cape Breton, Permit, A.B. to depart this Island and its Dependencies He (or they) having complied with the Ordinance of this Government for that purpose, Sydney _____ day of _____ 1788”

And Be it further Ordained and ordered by the authority aforesaid that in Case any person or Persons shall be desirous of leaving this Island or its Dependencies before the Expiration of the time herein before limited for that purpose It shall and may be lawful for the said Secretary or his Deputy and they are hereby authorised and empowered on such Person or Persons procuring sufficient Sureties to become answerable for any pay all such just Debts Dues and Demands as may be owing or payable by the said Person or Persons to any of the Inhabitants of this Island or its Dependencies to Grant such Person or Persons a Pass in this form herein before directed

And Be it further ordained and Ordered by the authority aforesaid that no Master of any Ship or Vessel going from any Port of Place in this Island or its Dependencies shall carry away

onboard any Person or Persons whatsoever without such Person or Persons produce a Pass signed by the Secretary of this Island or his Deputy except the Crew or Seamen belonging to such Vessel and Brought in her by the said Master on his last arrival in this Island or its Dependencies and the Master of any Ship or Vessel acting contrary to the Tenor of this Ordinance shall be liable to pay all damages Costs and Charges that may be sustained by any of the Inhabitants of this Island or its Dependencies by reason or Means thereof to be recovered by Bill Plaint or information on any of His Majesty's Courts of Record in this Island with Costs of Suit.

Provided always that nothing in this Ordinance contained shall extend or be construed to extend to the restraining any Person or Persons from Departing this Island or its Dependencies by special permission under the hand of the Governor or Commander in Chief for the time being, on the restraining any Military Person or Persons from leaving this Island or its Dependencies having first obtained special permission for that purpose from the Commanding Officer of the Troops.

Approved ordained and ordered accordingly
in Council this Tenth day of April
1788 in the Twenty eighth year of
His Majestys Reign.
Wm Macarmick

Passed in Council
10th day of April 1788
D. Mathews
Thos. Uncle
C. Graham
A. Cuyler

A true Copy faithfully compared
with the original A Cuyler