

*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 2

**An Ordinance further to extend the Powers mentioned in and ordinance passed the 26th day of January 1786 intituled “An Ordinance for the more easy and Speedy recovery of small Debts.”**

Whereas from the infant state of this Government and the dispersed situation of the Inhabitants in some of the districts thereof it is found impracticable in such Districts to appoint Commissioners to try and determine the matter solely made Cognizable before such Commissioners in and by an ordinance passed the 26th day of January 1786 intituled “An Ordinance for the more easy and speedy recovery of a small Debts” without making it extremely bothersome to such Commissioners as well as very Expensive to suitors.

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 it is hereby ordained and ordered by the authority of the same that in all such Districts of this Island or its Dependencies in which no such Commissioners as aforesaid are or shall be appointed it shall and may be lawful for any one Justice of the Peace to take Cognizance of and such Justice is hereby Authorised and empowered to hear try and determine all such Suits. Debts and Demands as in and by the said Ordinance herein before mentioned are made Cognizable before such Commissioners as are in the said Ordinance mentioned and to proceed to Judgement and Execution thereon.

And Be it further ordained and ordered by the authority aforesaid that the process and proceedings on all such Suits so to be had before the said Justice shall run in the same manner and form or in and by the said Ordinance is ordained and ordered to be had and pursued before the said Commissioners (excepting always that the process and proceedings to be tried before the said Justice shall run in the name of the said Justice) and all Process issued by the said Justice in such Suits may be directed to any of the Constables in the District in which such Justices shall reside And they the said Constables and every of them are hereby authorised and empowered to execute the same in the same manner and form as the Provost Marshall or his Deputy or Deputies are empowered and directed in and by the Ordinance Aforesaid.

And Be it further Ordained and Ordered by the Authority aforesaid that on all such suits as to be had before any Justice of the Peace the Parties thereto both Plaintiff and Defendant shall be intituled to all the Privileges and advantages as are in and by the said ordinance given and Granted to parties in Suits to be had and prosecuted before the said Commissioners.

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

Passed in Council  
the 10th of April 1788

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D. Mathews  
Thos. Uncle  
C. Graham  
A. Cuyler

A true Copy faithfully compared  
with the original A Cuyler