

Ordinances of the Lieutenant Governor and Council of His Majesty's Province of Cape Breton passed in the year 1803. National Archives of the United Kingdom CO 219/2.

43 George III – Chapter 5

Ordinance in Addition to and Amendment of an ordinance made and perfect the 27th Day of July 1795 – Entitled an Ordinance for Regulating the times of holding the Supreme Court and Sessions of the Peace in the Island of Cape Breton and its Dependencies.

Whereas great and many inconveniences have arisen and daily do arise to His Majesty's faithful and loyal Subjects residing on the Island Madam a Dependency of this Island, and in this Western parts of this Province, for want of a more speedy & full Administration of Justice in those parts, And that all Suitors living and residing therein do sue and prosecute their Causes & Actions of Complaint as well Criminal as Civil in His Majesty's Supreme Court at present held only at Sydney, and that their being obliged to come from so great a distance and bringing their Witness are extremely detrimental and expensive to them, and much injury is thereby done to Individuals as well as the Public good of His Majesty's Island – And Whereas the Inhabitants residing in those parts have represented the great Convenience Ease and Benefit which would arise to them and all Concerned if the Supreme Court was held at Arischat [Arischat] at a proper Season once in each and every Year – Be it therefore Ordained and Ordered by His Honor Major General Despard President of His Majesty's Council and Commander in Chief in and over the Island of Cape Breton and Dependencies, by and with the Consent of His Majesty's said Council and by Authority of the same, it is hereby Ordained and Ordered that His Majesty's Supreme Court of Judicature, Court of Assize and General Goal [Jail] Delivery, shall be held annually at Arischat in the Island Madam a Dependency of this Island for the Vicinity and District of Arischat on the third Monday in September in each and every Year, And that the said Supreme Court shall be and is hereby empowered to proceed at the said Annual sitting in and as near the same manner as hath hitherto been used in the said Court Sitting at Sydney, And that the Ordinance respecting Jurors shall extend and by Construed to extend to the holding the said Supreme Court at Arischat – And that all the proceedings, rules, judgements and executions of said Supreme Court legally held made and done in and at the said Annual Sitting at Arischat on the said third Monday in September in each and every Year shall be good, valid, and effectual to all intents of purposes whatsoever

And Whereas it may be attended with inconvenience that all and every the Judges of the Supreme Court for the Island of Cape Breton in general should be present at the Annual Sitting of the said Court at Arischat

Be it therefore Ordained and Ordered by the Authority aforesaid that any two of the Assistant Justices of the Supreme Court for executing the Office of Chief Justice shall be sufficient for holding the said Court at Arischat and transacting the business thereof and that the time of Sitting of the said Supreme Court at Arischat shall be limited to three Days including the Day of Opening the Court unless in Cases of unavoidable necessity, or that the Multiplicity of business

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should require it, in which Cases the Chief Justice or Assistant Justices may continue the same for a time not exceeding three Days longer.

Approved, Ordained, and Ordered in
Council accordingly this 20th Day of
July 1803 & in the 43rd Year of His
Majesty's Reign.

John Despard Major General
Commanr in Cape Breton

Passed in Council
the 20th July 1803