

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.

44 George III – Chapter 7

Ordinance in Addition to and Amendment of an Ordinance made for the Island of Cape Breton on the 26th day of January 1786 and in the 26 Year of the Reign of His present Majesty George the Third &c. Intituled an Ordinance for Regulating the Market for Wild Provisions, Game And Fish.

Whereas the Commissioners Appointed to carry into Execution the Plan for the Erecting of a Market House in the Town of Sydney have Reported that the same is now completed and the Stands or Stalls therein ready to be occupied by Butchers & others Venders of Provisions –

Be it Ordained & Ordered by His Honor Major General Despard by and with the Advice and Consent of His Majesty's Council, and by the Authority of the same, it is hereby Ordained & Ordered that the said Market House, shall and may be Open on the Six Weekly days from Sun Rise until Nine O'Clock at Night and on Sundays – from Sun Rise until Nine O'Clock in the forenoon, after which hour the Market House shall be Shut and Remain Shut for the Rest of the Day.

And be it further Ordained & Ordered that from and After the first day of January next ensuing, all persons following the Trade of a Butcher shall be Obligated to take out a Lease from the Trustees of the Market for a Stand or Stall in the said Market House, and therein to Sell and Expose for sale their Butcher's Meat & Provisions of every denomination whatsoever, and that if any Butcher shall Expose Meat or Provisions of any kind in any place of the Town of Sydney other than the Market House he shall be liable to forfeit for so doing the Sum of Twenty Shillings Current money for each and every Offence so committed to be Recovered before any One of His Majesty's Justices of the Peace on the Oath of One Credible Witness.

2nd And be it also Ordained & Ordered that every Person hiring a Stand in the Market shall pay for the same such Sum the Trustees shall think proper per Annum, to be paid in Quarterly payments into the Hands of the Clerk of the Market who shall be obliged to Account for the same on Oath to the Treasurer of the Provisions which Rent or Lease [Lease] whereby Granted to His Majesty to be Applied toward keeping the said Market House in Repair or for such other necessary work or Improvement as may by the Governor Lieutenant Governor or Commander in Chief for the time being with the Advice and Consent of His Majesty's Council be found Expedient in the Town of Sydney.

3rd And be it Ordained and Ordered by the Authority aforesaid that the persons holding Stands or Stalls in the said Market House as well as others coming there for the purpose of disposing of Provisions of any kind shall be Obligated to Keep the said Market House Clean and in Good Order to the Satisfaction of the Clerk under the Penalty of One Shilling for every Offence

to be levied by Warrant from any one of His Majesty's Justices of the Peace, upon the Clerk making Oath to the [illegible word] before such Justice.

4th And be it also further Ordained and Ordered that from and After the said first day of January all persons bringing Butchers Meat from the Country with an intent to Sell the same, shall be obliged to carry the same to the said Market House, and therein to Sell or Expose it for Sale, and shall give in a return of the weight of the same to the Clerk of the Market and in failure of any part hereof shall forfeit and pay for each and every Offence the sum of Five Shillings Current Money to be recovered on the Oath of One Credible witness before anyone of His Majesty's Justices of the Peace.

5th And be it further Ordained and Ordered be the Authority aforesaid that any damaged, Blown, or unwholesome Butchers Meat or other Provisions which shall be Exposed to Sale in the said Market House, shall be liable to be seized by the Clerk of the Market who is thereupon immediately to give notice thereof to One or More of the Trustees of the Market or in their Absence to any one of His Majesty's Justices of the Peace Resident in the Town of Sydney who are hereby respectively Authorised to inspect the said Meat so Seized and if found to be damaged or unwholesome to Adjudge the same to be forfeit and cause the same to be destroyed in the presence of the Clerk of the Market and if the Meat so Seized or any part thereof shall on inspection be found to have been blown, the person or persons so Exposing the same to Sale shall pay a fine of Five Shillings and the Meat if otherwise wholesome, shall be given to the Church Wardens for the use of the Poor in the Town of Sydney, the said Fine to be Recovered in like manner as is heretofore set forth

6th And Whereas great Inconvenience may Arise as also great Frauds maybe practiced in the sale of Butchers Meat and other Articles of Provisions in the Said Market, from there not having been – hitherto any Standard for Weights and Measures legally Authorised with in the Provinces

7th Be it Ordained and Ordered that a Complete set of Weights and Measures shall and may be Procured and to be paid for out of the – Public Revenue of this Island, to Remain in the Market House in the Possession of the Clerk of the Market as Essay Weights and Measures and that the same shall be According to the Standard of the Exchequer of England & to be Marked G.III.R. Cape Breton.

8th And be it also ordained & Ordered that on the first day of June next all persons making use of Scales, Weights or Measures as well in the Town of Sydney and all other parts of this Island, as in the Market House in the Sale of any Article or Commodity, Shall bring their Scales, Weights & Measures to be Essayed by the Clerk at the Market House, and shall pay the Clerk for every distinct Essay two pence. And the said Clerk shall cause such Weights and Measures so Essayed by him to be Stamped and Marked with the Letters C_73. And that if any Person shall After the said first of June Sell or Vend any Commodity by Weights or Measures not o Stamped He or they shall upon Conviction thereof by the Oath of One – Credible Witness before any One of His Majesty's Justices of the Peace, forfeit and pay the Sum of Five Pounds

Current money for each and every offence so Committed, and Shall also forfeit the said Weights and Measures.

9th And be it further Ordained & Ordered that the Trustees of the Market, or any two of them, Attended by the Clerk of the Market shall be and they are hereby Authorised and Impowered to Visit the House of Every Person selling publicly by Weights and Measures Once in Every Six Months or Oftener and to Examine all Weights and Measures so used by them.

10th And be it further Ordained & Ordered by the Authority aforesaid that His Honor the President of His Majesty's Council is hereby Authorised and Empowered to Appoint three or more Persons to be Trustees for the said Market, who Shall be Sworn to the – faithful Performance of this Office.

11th And be it finally Ordained that all and every the Penalties imposed by this Ordinance shall be paid into the Hands of the Treasurer of the Province and they are hereby Granted to his Majesty to be Applied to the Public Uses of this Government.

Approved Ordained &
Ordered in Council the Fifteenth
Day of December 1803 & in Forty fourth
Year of His Majesty's Reign –
John Despard Majr Genl
President of Council

Passed in Council the
Fifteenth December 1803