

*Ordinances of the Lieutenant Governor and Council of His Majesty's Province of Cape Breton passed in the year 1808.* National Archives of the United Kingdom CO 219/2.

48 George III – Chapter 1

**An Ordinance, For the Better observation and keeping of the Lords day.**

Be it Ordained and Ordered by His Honor the President of His Majesty's Council and Commander in Chief of the Island of Cape Breton by and with the advice and consent of His Majesty's Council and it is hereby Ordained and Ordered by Authority of the same in order that all Persons may on the Lords Day apply themselves to duties of Religion and Piety both Publicly and privately, the Tradesman, Warehouse Keeper, Shop Keeper or other Person whatsoever shall for the future open his, her or their Shop, or warehouse or either himself or herself or by His or her Servant or Servants, Child or Children, sell expose or offer to Sale, upon any Bench, Stall or Shed or send or carry out any manner of Goods or Merchandize on the Lords day or any part thereof, Provided nevertheless that this Ordinance shall not intent to prevent any Person from selling or exposing to sale Milk, fresh Fish, and Moose Meat, before the Hours of nine in the Morning and after five of the Clock in the afternoon on the said Day.

And be it further Ordained and Ordered by the Authority aforesaid that no Person whatsoever for the future shall do or exercise any Labour, work, or business at his her or their ordinary Calling or other Worldly labour or suffer the same to be done by his her or their Servant or Servants, Child or Children, either by land or Water (Works of necessity and Charity only excepted) or use or suffer to be used any sport, Game, Play, or Pastime on the Lords day, or any part thereof upon pain that every Person or Persons so offending in any of the particulars before mentioned upon conviction thereof, upon the Oath of one Credible Witness before any one of His Majesty's Justices of the Peace of this Island or it's Dependencies or upon view of any Justice of the Peace, shall for every such offence forfeit any Pay the Sum of Ten Shillings.

And be it further Ordained by the Authority aforesaid that no Tavern Keeper, Retailer of Spirituous Liquors Vintners or other Person keeping a Public House of Entertainment within this Government shall for the future, on any pretence whatsoever entertain or Suffer any of the Inhabitants or Town Dwellers of Sydney or any of the Towns respectively where such Tavern Keepers, Retailers of Spirituous Liquors Vintners, or any Persons keeping Public houses of Entertainment respectively [illegible] or others not being Strangers or Lodgers in such houses, or such came there for necessary dieting and Victualling only to abide and remain in their Dwelling houses, Out Houses, or Yards, drinking or Idly spending their time on the Lords day, but shall their doors shut during the time of divine service, on penalty of forfeiture and paying the sum of Five Shillings for every Person or Persons respectively so found drinking or abiding in such Public House or the Dependencies thereof as aforesaid and every such Person or Persons who shall be found so drinking or abiding in such Public house or it's Dependencies as aforesaid shall respectfully forfeit and pay the sum of five shillings.

And be it further Ordained and Ordered by the Authority aforesaid that all Fines and Penalties incurred by this Ordinance, are to be to the use of the Poor of the Town where such offence in committed and the Justice and Justices before whom any Person or Person shall be convicted of offending against this Ordinance are required to make a Record always that no Person shall

be prosecuted for any Offence before mentioned unless they be prosecuted for the same within Five days after the Offence committed.

And be it further Ordained and Ordered by the – Authority aforesaid that every Justice of the Peace shall have full power and Authority to levy the Penalties herein before respectively mentioned in case the same shall not upon conviction be paid by the offender or offenders, by distress and sale of the Offender or Offenders Goods and Chattles [Chattels] with Costs, and in default of Distress to commit such Offender or Offenders to the common Good of the County Town, or District, there to remain in Close confinement for a time not exceeding forty eight hours nor less than Twenty four hours.

And be it further Ordained and Ordered by the Authority aforesaid that this Ordinance shall be publicly read, Twice in every Year (vizt) At the opening of every Court of General Sessions of the Peace immediately after the Grand Jury are Sworn, and also Twice every year (vizt) on every first Sunday in September and on every first Sunday in March in all Public Places of Worship within this Government immediately after divine service.

Passed in Council  
6th June 1808  
W. McKinnon

Approved Ordained and Ordered  
in Council 6th June 1808.  
Nich. Nepean  
B. Gen. Commr