

Ordinances of the Lieutenant Governor and Council of His Majesty's Province of Cape Breton passed in the year 1817. National Archives of the United Kingdom CO 219/2.

57 George III – Chapter 1

An Ordinance to prevent the Exportation of Gypsum or Plaister from the Island of Cape Breton and its Dependencies without Permission from the Governor Lieutenant Governor or Commander in Chief for the time being.

Whereas the Gypsum or Plaister [Plaster] of Paris in this Island and its Dependencies from its superior Quality and great abundance is likely to become an article of Considerable Importance to the Trade and Commerce of this Island and its Dependencies and may eventually produce a Source of Wealth to the Colony and of much benefit and Advantage to His Majesty's Government if its Exportation is arranged by certain and defined Regulations

Be it therefore ordained and ordered by His Excellency Major General Ainslie Lieutenant Governor of the said Island by and with the Consent of his Majesty's Council and by the authority of the same it is hereby Ordained and Ordered that from and after the publication of this Ordinance that no person shall dig take and carry away from any of the Crown or Ungranted Lands in this Island or its Dependencies any Gypsum or Plaister of Paris without having first obtained a License or Permit so to do from the Governor Lieutenant Governor or Commander in Chief of the said Island and its Dependencies for the time being.

Be it further ordained and Ordered by the Authority aforesaid that if any Vessel or Boat shall be found in any of the Creeks, Rivers, Ports Bays or Harbours in this Island or its Dependencies or hovering about the shores of the same and shall have on board any Gypsum or Plaister of Paris taken from any of the Crown or Ungranted Lands in the said Islands or its Dependencies without having a License or Permit for the same signed by the Governor Lieutenant Governor or Commander in Chief for the time being every such vessel or Boat with the Cargo on board the same shall be subject to Forfeiture and also the Furniture Tackle and apparel to such Vessel or Boat belonging.

Be it also ordained and ordered by the same authority that the Forfeiture incurred by this Ordinance shall and may be prosecuted sued for and recovered in any of His Majesty's Courts of Record in this Island.

Be it likewise Ordained and Ordered by the Authority aforesaid that all Forfeiture incurred by this Ordinance shall be paid and applied as follows that is to say after deducting the charge of prosecuting from the gross Produce thereof and such Duty as shall belong to His Majesty on the said Gypsum or Plaister of Paris the remainder shall be paid to such person or persons who shall seize and sue for the same and shall act under the authority of the Governor Lieutenant Governor or Commander in Chief for the time being for so doing.

And be it also ordained and ordered by the authority aforesaid that if any Vessel or Boat shall be seized for any cause of Forfeiture under this Ordinance and any Dispute shall arise whether the Gypsum or Plaister of Paris on board any such Vessel or Boat has or has not been taken from any of the Crown or Ungranted Lands as aforesaid then and in such case the proof

thereof shall be on the owner or claimsub of such Vessel or Boat and not on the person or persons who shall seize or sue for the same.

Ordained and Ordered accordingly this ninth day of July
one thousand eight hundred and seventeen
By Command of his Excellency
(signature)
Secretary