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ISSUE : [Issue 72](#)

Published by Ronald Caplan on 1997/6/1

housen, one of the convicts, 23rd Dec. 1788.... Patrick Doyl, one of the convicts. Buried 2nd Jan. 1789." In March 1789, many soldiers guarding the convicts became ill and the surgeon of the 42nd Regiment reported to Macarmick that "some infectious disorder might have been brought among [the convicts'] rags."" Macarmick ordered the convicts to a quarantine house about seven miles from Sydney and their clothing destroyed. Describing the event to Lord Sydney, Macarmick wrote: The severity of the Weather rendered the removal of these miserable people a measure of much difficulty; one Woman died, and one Man has since been frozen to death...carrying provisions for the others." When Council learned the disease originated elsewhere they re? turned the convicts to Sydney. Although many returned to guarded quarters, some were free to explore the community. Writing to Secretary Grenville, Provost Marshall David Taitt complained of the convict women who were found "rioting at a Public House of bad fame," and it is likely the convict charged with murder that March committed the crime while free. Shortly after the contagion alarm, the capital of Cape Breton watched the trial of Pendergast and MacDonald with interest. Accused of murdering Fitzpatrick the first night ashore, the Grand Jury found both guilty and sentenced them to be hanged on March 14, 1789. However, Governor Macarmick ordered a stay of execution. Since the authorities did not recover Kirkpatrick's body, Macarmick wondered how the jury could be certain that death resulted from the beating and not exposure? As the Attorney General noted, evidence against the accused from other convicts might not be "entirely purged of malice growing out of former animosities."" Council sought Grenville's advice but meanwhile, Pendergast and MacDonald escaped, and were not heard from again. Writing to Lord Sydney in May 1789, Macarmick reported the convicts: remain a heavy burthen upon Government, and the poverty and fewness of the Inhabitants prevent their being employed to any advantage. I have determined to take hold of the first and best opportunity to get rid of them.'? -CRIMES- denominated Single Felonies: punishable by Transportation, Whipping, Imprisonment, the Pillory, and Hard Labour in Houses of Correction, according to the nature of the offence. The principal of which are the following: Grand Larceny, which comprehends every species of Theft above the value of One Shilling not otherwise distinguished. Receiving or buying stolen goods, Jewels and Plate. Ripping and stealing Lead, Iron, Copper, &c. Or buying or receiving. Stealing (or receiving when stolen) Ore from Black Lead Mines. Stealing from Furnished lodgings. Setting fire to underwood. Stealing Letters or destroying a Letter or Packet advancing the Postage, and secreting the Money. Embezzling Naval Stores, in certain cases. Petty Larcenies or Thefts under One Shilling, Assaulting with an intent to Rob. Aliens returning after being ordered out of the kingdom. Stealing fish from a Pond or river • Fishing in inclosed ponds, and buying stolen Fish. Stealing Roots, Trees, or plants, of the value of 5s. Or destroying them. Stealing Children with their apparel. Bigamy, or Marrying more Wives or Husbands than one. Assaulting and Cutting, or Burning Clothes. Counterfeiting the Copper



Coin &c. Marriage solemnizing clandestinely. Manslaughter, or killing another without Malice, &c... Cutting or Stealing Timber Trees, &c. Stealing a Shroud out of a Grave. convicts were all gone, except for two held in jail on a charge of murder. These two escaped in April 1790, were recaptured, and pardoned in December." Informing the Lord Lieutenant of Ireland of the convicts' plight in Cape Breton, Home Secretary Grenville wrote July 27, 1789: This transaction appears to have been attended with circumstances of so atrocious a nature that...measures should be taken to recover from the Master of the vessel the penalties of the Bonds which he is required by Law to give." Grenville advised him further that: In other words, he was letting them go where they pleased. By late spring, Macarmick freed all convicts not facing current charges. Later that year. Home Secretary Grenville referred to the convicts employed in Cape Breton as "no longer a Burthen on the public." By October 1789, Macarmick advised Grenville the We plan it all for you. 794-7251 158 QUEEN ST., NORTH SYDNEY Legendary Low Prices! It All Started Herein Cape Breton. We're Proud To Employ Over 285 Employees! • Sydney • North Sydney Glace Bay * Sydney River