

C H A P. XI.

An Act to amend and repeal part of an Act passed in the fifty-seventh year of His Majesty's Reign, entitled, "*An Act to establish a MARKET in the Town of NIAGARA, in the Niagara District.*"

[Passed 12th July, 1819.]

WHEREAS, certain parts of an Act passed in the fifty-seventh year of His Majesty's Reign, entitled, "An Act to establish a Market in the Town of Niagara, in the Niagara District," are now inapplicable, it is therefore expedient to amend and repeal the same, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, "An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province," and by the authority of the same, That from and after the passing of this Act, the fifth, sixth, and seventh clauses of the aforesaid Act, be, and the same are hereby repealed.

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5th, 6th, and 7th clauses of 57th Geo. 3. repealed.

II. *And be it further enacted by the authority aforesaid, That the said Market House shall be built and erected, at such place in the Town of Niagara, as the Magistrates for the District of Niagara, in their General Quarter Sessions of the Peace, or the majority of them, may direct.*

Market house to be built where the Justices shall appoint.

C H A P. XII.

An Act to repeal part of and amend an Act passed in the forty-eighth year of His Majesty's Reign, entitled, "*An Act to explain, amend, and reduce to one Act of Parliament the several Laws now in being for the RAISING and TRAINING the MILITIA of this Province.*"

[Passed 12th July, 1819.]

WHEREAS, there is now no provision by Law for assembling a Court Martial; unless when the Militia of this Province shall be called out on actual Service, by reason whereof, it may happen that persons against whom charges may have been preferred before a Court of Enquiry, may have no opportunity of making their defence against such charges, before a Court competent to receive such evidence upon oath, in their behalf, for remedy whereof, Be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative

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tive Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the twenty-fifth clause of an Act passed in the forty-eighth year of His Majesty's Reign, entitled, "An Act to explain, amend, and reduce to one Act of Parliament, the several Laws now in being, for the raising and training the Militia of this Province," shall be, and the same is hereby repealed.

25th clause of 48th Geo 3. c 1, repealed.

General Court Martial may be granted at the prayer of the party, tho' no part of the Militia shall be called out on actual service.

How such court shall proceed.

What punishment they may inflict.

48th Geo 3. c 1, to remain in full force.

III. *And be it further enacted by the authority aforesaid,* That from and after the passing of this Act, in all cases where a General Court Martial shall be prayed for, by any Officer against whom any charges have been, or may be preferred, when any part of the Militia of this Province shall not be called out on actual Service, the Governor, Lieutenant Governor, or Person administering the Government, may direct a General Court Martial to be held, to be assembled in the same manner, and under the same provisions, and to proceed in the same manner as provided by Law in time of actual Service. *Provided always, nevertheless,* That if any such Officer shall be found guilty by any General Court Martial, duly assembled, when any part of the Militia of the said Province shall not be called on actual Service, such Court Martial shall and may inflict on him such penalty, proportioned to the offence, as the said Court shall judge proper, either by censure or suspension, or depriving him of his Commission, and degrading him from his rank, and no other.

III. *And be it further enacted by the authority aforesaid,* That nothing in this Act contained shall extend or be construed to extend to repeal or vary any of the provisions of the said recited Act, excepting so far as the same is expressly repealed in this Act, but that the said Act, and every clause, matter, and thing therein contained, except the said twenty-fifth clause, shall be, and the same is hereby declared to be in full force and effect.

C H A P. XIII.

An Act to grant to His Majesty a sum of MONEY to enable him to pay the SALARY of the INSPECTOR GENERAL of public Provincial Accounts in this Province.

[Passed 12th July, 1819.]

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS, it is expedient to provide a fund to enable your Majesty to pay the salary of the Inspector General of public Provincial Accounts of this Province; We your Majesty's dutiful and loyal subjects