

C A P. III.

An Ordinance to extend the provisions of a certain Act of the Legislature of this Province, therein mentioned.

Preamble.

WHEREAS His Excellency Sir John Colborne, then Administrator of the Government of this Province, now the Governor in Chief thereof, was pleased, under and by virtue of the provisions of a certain Ordinance of the Administrator of the Government of the said Province, authorised to execute the Commission of Governor of the said Province, by and with the advice and consent of the Special Council for the affairs thereof, passed in the second year of Her Majesty's Reign, intituled, "An Ordinance for the suppression of the Rebellion which unhappily exists within this Province of Lower-Canada, and for the protection of the persons and properties of Her Majesty's faithful subjects within the same," to constitute a certain Court or Courts Martial, and may hereafter constitute other such Court or Courts Martial, for the trial of persons for offences committed since the first day of November last past, or thereafter committed in furtherance of the said Rebellion. And whereas divers persons have heretofore been, and others may hereafter be, tried by such Court or Courts Martial, for the offences aforesaid, and have been, or may be, by the sentence or sentences of such Court or Courts Martial, adjudged and condemned to suffer death; And whereas it may have pleased, or it may hereafter please, Her Majesty to grant to some one or more of the persons who may have been, or may be, so adjudged and condemned to suffer death, Her most gracious pardon upon condition of transportation beyond the seas; And whereas the provisions of a certain Act of the Legislature of the said Province, passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled, "An Act for the transportation of certain offenders from this Province to England, to be thence again transported to New South Wales or Van Diemen's Land," which Act has been continued by an Ordinance of the Administrator of the Government of the said Province, authorized to execute the Commission of Governor thereof, by and with the advice and consent of the Special Council for the affairs of the said Province, passed in the second year of Her Majesty's Reign, intituled, "An Ordinance to continue a certain Act therein mentioned, intituled, "An Act for the transportation of certain offenders from this Province to England, to be thence again transported to New South Wales or Van Diemen's Land," do not extend to persons who have been, or may be, adjudged and condemned to suffer death by any such Court or Courts Martial, and who have received, or may hereafter receive, Her Majesty's most gracious pardon under the condition aforesaid; And whereas it is expedient to extend the provisions of the said Act to such cases:

Be

Provisions of
6 Wm. IV.,
for transportation
of offenders,
extended to
persons tried
by General
Court Martial.

Be it therefore Ordained and Enacted by His Excellency the Governor of the Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of the said Province, constituted and assembled by virtue of and under the authority an Act of the Parliament of the United Kingdom of Great-Britain and Ireland, passed in the first year of the Reign of Her present Majesty, intituled, "*An Act to make temporary provision for the Government of Lower Canada,*" and it is hereby Ordained and Enacted by the authority of the same, that the said Act of the said Legislature, so continued in manner aforesaid, and all and singular the provisions of the said Act, be, and the same are hereby extended and made, in all respects, applicable, to all and every the person or persons who have been, or may hereafter be, adjudged and condemned by any such Court or Courts Martial, in manner aforesaid, to suffer death, and who shall have received, or may hereafter receive, Her Majesty's most gracious pardon upon condition of transportation-beyond seas.

J. COLBORNE.

Ordained and Enacted by the authority aforesaid, and passed in Special Council, under the Great Seal of the Province, at the Government House, in the City of Montreal, the twentyfirst day of February, in the second year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the Year of our Lord One Thousand Eight Hundred and Thirty-nine.

By His Excellency's Command,

W. B. LINDSAY,

Clerk Special Council.