

When sentence of death shall be pronounced by any court martial, the person having power to approve of the same may inflict such other punishment as he may think fit.

Continuance of this Act.

When punishment short of death, the offender, if a non-commissioned Officer or private, may be tried by a Garrison or Regimental Court Martial.

Court Martial shall sentence any person to suffer the punishment of death, it shall and may be lawful for the person having power to approve such sentence, to alter the punishment, and to inflict such other as he may think fit.

XLIX. *And be it further enacted by the authority aforesaid,* That this Act shall be and continue in force for two years, and from thence to the end of the then next ensuing Session of Parliament, and no longer.

L. *And be it further enacted by the authority aforesaid,* That in any case where the punishment of any offence shall be short of death, the offender or offenders may be tried by a Garrison or Regimental Court Martial, (being a Non-commissioned Officer or private Militia-man.)

CHAP. II.

An Act to repeal an Act passed in the fifty-second year of his Majesty's reign, intituled, "An Act for granting to his Majesty a certain sum of Money out of the Funds applicable to the uses of this Province, to defray the expences of Amending and Repairing the Public Highways and Roads, and building Bridges in the several Districts thereof."

[Passed 5th August, 1812]

WHEREAS an Act passed in the fifty second year of his Majesty's reign intituled, "An Act for granting to his Majesty a certain sum of Money out of the Funds applicable to the uses of this Province, to defray the expences of Amending and Repairing the Public Highways and Roads, and building Bridges in the several Districts thereof," is found unnecessary and inexpedient, 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, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, intituled, "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of the said Province," and by the authority of the same, That the above recited Act be, and the same is hereby repealed.

52 Geo. 3d, ch. 2d, repealed.

Commissioners under 52d Geo. 3d, to pay to the Receiver General the Monies in their hands unexpended, together with a Statement on Oath of such Monies as they have laid out. — said Commissioners may retain all such Monies as they have obliged themselves to pay for labour performed on the highways, or for labour already begun but not completed.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the Receiver General to call upon any Commissioner or Commissioners of highways, requiring him or them to return and pay over to the said Receiver General any such sum or sums of money as he or they may have received as such Commissioners, and as shall remain in his or their hands unexpended, and such Commissioner or Commissioners is and are hereby required and directed forthwith to return and pay over such sum and sums of money as shall remain in his or their hands as aforesaid, together with an Account or Statement on oath, of the expensiture of such sum or sums of money as he or they shall state to have been laid out. Provided always nevertheless, That nothing herein contained shall prevent any such Commissioner or Commissioners from retaining in his or their hands, such sum or sums of money as he or they have promised or obliged themselves to pay for any work or labour performed on the highways, and which may at the time of the passing of this Act have been performed, and any work or labour already begun but not completed.