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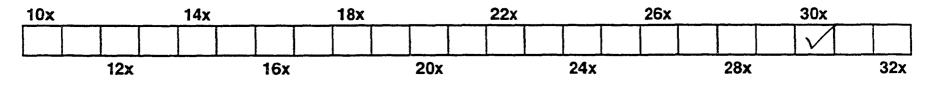
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Commentaires supplémentaires:





No. 471.

COURT MARTIAL

HELD AT

HALIFAX, IN NOVA SCOTIA,

on the 10th June, 1822.

FOR THE TRIAL OF

Deputy Assistant Commissary General CHARLES BLACKADAR.

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HORSE-GUARDS, 29th April, 1823.

AT a General Court Martial held at Halifax, Nora Scotia, on the 10th June, 1822, and continued by adjournments to the 26th of the same Month, Deputy Assistant Commissary General Charles Blackadar, was arraigned upon the undermentioned Charges, viz.

1st "For neglect of Duty, in having failed to exhibit before a Beard of Officers, "assembled by Order of His Excellency the Lieutenant General Commanding, "between the 11th and 16th of May, 1822, the Sum of Two Thousand Pounds, "Halifax Currency, or thereabouts, belonging to the Public, which formed part of "a balance with which he was chargeable on the 16th May, 1822.

2d "For having embezzled or fraudulently misapplied, or having wilfolly per-"mitted some other Person or Persons to embezzle, or fraudulently misapply, "the Sum of (£2,000) Two Thousand Pounds, Halifax Currency, or thereabouts, "belonging to the Public, which formed part of a balance, with which he was "chargeable on the 16th May, 1822.

Upon which Charges the Court came to the following decision :

"The Court having maturely weighed and considered the whole of the "matter which has appeared in Evidence before it, as well for the Prosecution " as the Defence, came to the following decision, viz."

" That with respect to the First Charge, the Prisoner is Guilty thereof."

"With respect to the Second Charge the Court acquits the Prisoner "thereof, for the want of sufficient Evidence."

"Having found the Prisoner Guilty of the First Charge, The Coart doth sentence and adjudge the Prisoner, Charles Blackadar, Esg. Deputy Assistant Commissary General, to be dismissed His Majesty's Service, and to make good the loss or deficiency of (£2,000) Two Thousand Pounds, Halifax Currency, to be recovered and levied after the manner pointed out in the Mutiny Act."

His Majesty was pleased to command, that the Proceedings should be revised by the Court, for the following reasons. viz.

That the Finding and Sentence of the Court in this Case appear to be inconsistent and irreconcilable with each other. That the Court having found the Prisoner Guilty of the First Charge and not Guilty of the Second, it was not competent to them to adjudge the Sentence which they have done, that is "Dismissal from His Majesty's "Service, and to make good £2,000," inasmuch as that Species of Sentence is confined by the 128th Clause of the Mutiny Act to the Cases of Individuals Guilty of Embezzlement; whereas in the present Case, the Prisoner upon the 2nd Charge, which is a Charge of Embezzlement, is distinctly found to be Not Guilty.

On the 30th December, 1822, the Court re-assembled in obedience to His Majesty's Command, communicated to Lieutenant General Sir James Kempt, Commanding in Nova Scotia, in a Letter from His Royal Highness The Commander in Chief, dated 7th October, 1822, and "The Court having "maturely deliberated upon and fully re-considered and revised the whole of "the Evidence which has appeared upon its minutes, together with what the "Prisoner has urged in his vindication and defence, is of opinion that he, "the Prisoner, Charles Blackadar, Esq. Deputy Assistant Commissary "General, is Guilty of the whole of the Charges exhibited against him, and "does accordingly sentence and adjudge him (the aforesaid Charles "Blackadar) to be dismissed His Majesty's Service and rendered incapable of "ever again serving His Majesty in any Office Civil or Military, and in "addition thereto, to make good the deficiency of (£2,000) Two Thousand "Pounds, Halifax Currency, which Sum is to be recovered and levied "after the manner pointed out in the Mutiny Act."

His Majesty has been pleased to approve and confirm the Finding and Sentence of the Court.

His Royal Highness the Commander in Chief directs, that the foregoing — Charges against Deputy Assistant Commissary General Charles Blackadar, together with the Finding and Sentence of the Court. and His Majesty's pleasure thereon, shall be entered in the General Order Book, and read at the Head of every Regiment in His Majesty's Service.

By Command of His Royal Highness

The Commander in Chief,

HENRY TORRENS, Adjutant-General.