

like pay and allowances for each day more than one, as aforesaid, as is herein after provided for the Militia when on actual service. *Provided always*, that no person shall be obliged to go more than twenty miles from his place of residence to attend any such general training. *And Provided also*, that the Commander in Chief (whenever he may deem the Militia of any Regiment, or Battalion, or any part thereof, to be sufficiently trained and disciplined, may, and he is hereby authorised, by order directed to the Commanding Officer of any such Regiment or Battalion to dispense with or lessen so much and such parts of the duties required by this Act as to him may seem meet.

IX. *And be it further enacted*, That it shall be the duty of the several Officers commanding Regiments or Battalions, to cause the commissioned Officers, under their respective commands, at reasonable and proper times and places apart from their men, to be drilled and instructed as well in the Manual, and Platoon, as field exercise.

X. *And be it further enacted*, That such non-commissioned Officers and other fit persons as the Commander in Chief shall in his discretion think proper to employ (and under such regulations and directions as he shall think fit) for the purpose of drilling the commissioned, non-commissioned Officers and Privates in the several and respective Regiments, Battalions, and Companies, at the several and respective times when such Regiments, Battalions, and Companies shall be called out for training and exercise, under and by virtue of this Act, shall be entitled to and receive *four shillings* per day, during the time they shall be so employed, and at the same rate for every fifteen miles travelling in going to and returning from such service, to be paid out of the Treasury of this Province; and in such districts and places, where military drills cannot conveniently be sent, the commanding Officers of the Regiment or Battalions are authorised to employ proper drills, who shall be entitled to the same pay as other drills, to be paid in manner aforesaid, which service and travel of such persons so to be employed, shall be certified by the Commanding Officer of the Regiment, Battalion, or Company, in the drilling of which such persons, shall be respectively employed.

XI. *And be it further enacted*, That every person enrolled as aforesaid, who shall neglect to appear agreeably to the provisions of this Act, when called upon, shall pay for each neglect, on each and every of the days herein before required of him to attend, *ten shillings* and upon neglect or refusal to pay the same to any non-commissioned Officer, having an order to receive the same, signed by the Officer commanding the company to which such delinquent belongs, the same shall be recovered before any one of His Majesty's Justices of the Peace, or the Clerk's Court of the City of *Saint John*, with costs at the suit of such Commanding Officer, in the same manner as other sums are by the Act for the recovery of small debts, and by him paid into the hands of the Quarter-Master of the Regiment or Battalion.

XII. *And be it further enacted*, That every person enrolled as aforesaid, shall at all times when called out as aforesaid, appear with such arms, ammunition, and accoutrements as have been or may be hereafter issued to him by Government, or with arms, accoutrements and ammunition, of his own, equally sufficient, in complete order, and for appearing without such arms, accoutrements, and ammunition, or appearing with a part, and not the whole, or with any of them, which in the opinion of the

Field Officer, if present, or otherwise of the Commanding Officer of the Company, are not in good and serviceable order, such person shall forfeit, and be forthwith ordered by the Field Officer, or, if none present, the Officer commanding the Company, to pay a sum not less than *two shillings*, nor more than *ten shillings*, and for neglect to pay the same, to the commanding Officer of the Company, within twenty four hours after the parade is dismissed, the same shall be by an order of the same commanding Officer directed to either of the non-commissioned Officers of the Company levied (with the like fees as Constables may receive) upon the goods and chattels of the delinquent, and for want of goods and chattels whereon to levy the same, the said delinquent shall by warrant under the hand and seal of such commanding Officer of the Company be committed to the County Gaol, there to remain for any term not exceeding twenty four hours, and the keeper of such Gaol is hereby required to receive such delinquent, and keep him safely during the time specified in such Warrant, and then discharge him upon his paying the customary Gaol fees, together with such Fees as the non-commissioned Officer may be intitled to receive as herein before mentioned.

XIII. *And be it further enacted*, That the Officer commanding any Regiment or Battalion, shall once in every year, and as much oftener as he shall judge necessary (besides the usual days of training) order an inspection of arms, accoutrements, and ammunition of the several Companies under his command, to be made at one and the same time, by the Subalterns of each Company (each taking a part of the Company, as the same shall be for that purpose, divided by the Captain or Officer commanding it,) and calling on each and every man of the Company, at the usual place of his abode, and that each Subaltern shall make an exact return to the commanding Officer of the Company, of such arms, accoutrements, and ammunition, describing the state and condition thereof, and every person required by Law, to be provided with arms, accoutrements, and ammunition, who shall at such inspection, refuse to shew his arms, accoutrements, and ammunition, to the Officer, or have such arms in unserviceable condition, or out of order, or shall be deficient in any of the accoutrements or appurtenances beforementioned, shall forfeit and pay, for each deficiency, the like sum, as if such deficiency had happened at a muster or training, to be assessed by the commanding Officer of such Company, who shall issue his order for the payment thereof, directed to a non-commissioned Officer of the Company; and upon non-payment thereof upon demand the same to be recovered in the same manner as is provided in the next preceding Section.

XIV. *And be it further enacted*, That if any non-commissioned Officer or private, of any Company, shall be guilty of drunkenness, contemptuous behaviour, disobedience of orders, or shall otherwise misbehave himself at any muster or training, it shall and may be lawful in any such case for the Field Officer, if present, or if not present, for the Officer commanding the Company, to order such person or persons so offending, to be confined under a guard, during the time of such muster or training, and also to impose a fine on such offender or offenders, not exceeding the sum of *ten shillings*, to be recovered as other fines and forfeitures are directed to be recovered in the twelfth Section of this Act.

XV. *And be it further enacted*, That if any person shall wilfully interrupt, any company, detachment, battalion, or regi-

ment of Militia at exercise or muster, or any duty herein before prescribed, it shall and may be lawful for the Officer commanding such Company, detachment, battalion, or regiment, to confine such person during the time of such exercise or muster, (if he shall think it necessary) to prevent the continuation of such insult, or wilful interruption, and the persons so offending, shall forfeit and pay the sum of *twenty shillings*, for each and every offence, to be recovered on conviction, before any one Justice of the Peace, and by him paid into the hands of the Quarter-Master of the Regiment.

XVI. *And be it further enacted*, That whenever any general muster or training shall be ordered in pursuance of this Act, and any Captain or Subaltern Officer of any regiment, battalion, or detachment thereof, shall be guilty of disobedience of orders, or contemptuous or improper behaviour, during such muster or training, or if at any Company muster or training, any Subaltern of such Company shall be guilty of disobedience of orders, or contemptuous or improper behaviour during the same, it shall and may be lawful for the commanding Officer of such regiment, battalion, or detachment, to order a Court Martial forthwith on such Officer so misbehaving, which Court shall consist of two Captains and three Subalterns belonging to the same regiment or battalion, and in case such charge is proved, it shall be their duty to report their proceedings to the Colonel, or commanding Officer of the regiment or battalion, and if the sentence of such Court Martial shall be approved by the Commander in Chief of this Province, such Officer so found guilty, shall be dismissed.

XVII. *And be it further enacted*, That it shall be the duty of the commissioned Officers of the several companies to attend all the trainings and musters of their respective companies; and of all the commissioned Officers of the several regiments or battalions, to attend the trainings and musters of their respective regiments or battalions, and at all times to appear equipped, with sufficient swords and belts, and for each and every neglect to appear, or appearing without such Sword, or belt, the Officer so neglecting, shall forfeit and pay the sum of *twenty shillings*, to be recovered before the commanding Officer of the regiment or battalion to which he belongs.

XVIII. *And be it further enacted*, That it shall and may be lawful for the Officer commanding any regiment or battalion of Militia, to appoint a Serjeant-Major, Quarter-Master-Serjeant, and Clerk, for such regiment or battalion, who are hereby made liable to be tried by a Regimental Court Martial for disobedience of orders, or contemptuous and improper behaviour, which said Court Martial shall be constituted as herein beforementioned, and shall have power to punish by fine, or imprisonment in the County Gaol, such fine not exceeding *forty shillings*, or imprisonment ten days. *Provided always*, and *be it further enacted*, that no sentence of any such Court Martial, shall be put in execution until approved by the commanding Officer of such regiment or battalion; and the Serjeant Major, Quarter-Master-Serjeant, and Clerk, so appointed shall be exempted from all balloting for actual service.

XIX. *And be it further enacted*, That the Quarter-Master of every regiment or battalion, shall before he commences the duties of his Office, under this Act, give bond to His Majesty, with two sufficient sureties, in the penal sum of *two hundred pounds*, for the faithful discharge of such duties, and for his duly accounting for and applying all monies he may receive, by virtue of