

66. When the Militia, or any part thereof, are called out into actual service, they shall be entitled to the same pay, according to their respective ranks, as Her Majesty's Regular Troops respectively, to be reckoned from the day of march from rendezvous for actual service until dismissed by the Commander in Chief, each man to receive one day's pay for every fifteen miles travel to his usual place of residence.

67. Each non-commissioned officer, drummer, fifer, bugler and private shall, in addition to the pay prescribed by the last preceding Section, receive from the Provincial Treasury six dollars per month for every month they shall respectively have remained on actual service, not exceeding twenty dollars for each time they shall have been called into actual service, to be paid out of the Treasury.

68. If any Militiaman be wounded or disabled when on actual service, he shall be provided for at the expense of the Province during his disability.

GENERAL PROVISIONS.

69. The Commander in Chief shall appoint the officers of the Militia, with such rank as he shall from time to time think necessary; and such officers shall have such rank and authority in the Militia as are held by officers of the corresponding rank in Her Majesty's Service; and their duties shall be the same for the Militia as are prescribed for officers of the army by the Queen's Regulations. Before any person shall be so appointed, he may be required to undergo such examination as to his education and fitness as the Commander in Chief may direct.

70. No person shall be an officer in the Militia unless he is a British subject by birth or naturalization; and every such officer shall, before receiving his Commission, take and subscribe the oath of allegiance; which oath may be taken before the officer commanding the Battalion, and shall be by him transmitted to the Adjutant General.

71. Every officer, non-commissioned officer and private of every Volunteer Corps, shall take and subscribe the oath of allegiance within one month after he shall become a member of such Corps; such oath of allegiance shall and may be administered by the commanding officer of such Corps, (he having previously taken such oath before a Justice of the Peace.)

72. All Commissions in the Militia, and appointments of non-commissioned officers existing on the twenty second day of April, in the present year, shall remain in force, subject in the case of Commissions to be cancelled by the Commander in Chief, and in case of such appointments, by the officer commanding the Battalion; but no person shall be bound to serve in the Militia in a lower grade than he has once held, unless he has resigned his Commission, or has been reduced by sentence or order of some lawful Court or authority; nor shall any person who has been a non-commissioned officer in Her Majesty's Army be bound to serve in the Militia in a lower grade than he held in the Army, unless he has been reduced as aforesaid.

73. All non-commissioned officers in the Militia shall be appointed by the officer commanding the Battalion to which they belong, except in Volunteer Corps, where they shall be appointed by the commanding officer thereof; and such officers shall have power to reduce non-commissioned officers to the ranks.

74. The Commander in Chief shall have power from time to time to make Rules and Regulations for artillery and rifle practice in the Active Militia, and for awarding prizes;

for enforcing due discipline in every branch of the Militia, and for defining the details of Regiments, Battalions, Troops, Batteries, and Companies.

75. All Militia Orders issued through or by the Adjutant General, shall be held to be sufficiently notified to all persons whom they may concern, by their insertion in the Royal Gazette, and a copy of the said Gazette, purporting to contain them, shall be *prima facie* evidence of such Orders.

76. All Regimental or Battalion Orders shall be held to be sufficiently notified to all persons, by their insertion in some Newspaper published in the Division, or if there be none, then in some neighbouring Division, and by posting a copy thereof on the door of any Church, or of some Court House, Mill, or other public place in each Company Division in such Regimental or Battalion Division.

77. It shall not be necessary that any order or notice under this Act be in writing, unless it is herein required that it shall be so, provided it be communicated to the person who is to obey or be bound by it in person, either directly by the officer or person making or giving it, or by some other by his order.

78. The production of a Commission, or appointment, warrant, or order, in writing, purporting to be granted or made according to the provisions of this Act, or of the Act relating to the Militia made and passed in the twenty fifth year of Her Majesty's Reign, shall be *prima facie* evidence of such Commission, or appointment, warrant, or order, without proving the signature or seal thereto, or the authority of the person granting or making the same.

79. Every sum of money which any person or Corporation is, under this Act, liable to pay or re-pay to the Crown, or which is equivalent to the damages done to any arms or other property of the Crown used for Militia purposes, shall be a debt due to the Crown, and may be recovered in any manner in which such debts may be recovered.

80. The Quarter Master of any Battalion, before commencing his duties, shall give a Bond to the Queen in the sum of eight hundred dollars, with two sufficient sureties to be approved by the Commander in Chief, conditioned for the faithful discharge of his duties, and duly accounting for and applying all moneys and stores received by him as such.

81. The Quarter Master of every Battalion shall, on or before the twentieth day of October in each year, render an account to the Adjutant General of all moneys received and paid out by him during the preceding twelve months, and shall pay over any balance in his hands to the Adjutant General, or as he may direct.

EXEMPTS.

82. The following persons between the ages of eighteen and sixty years shall be exempt from enrolment and from actual service in the Militia, viz:—

The Judges of the Supreme Court:

The Judge of the Court of Vice-Admiralty:

The Clergy and ordained or licensed Ministers of all religious denominations:

The Professors of any College or University recognized by Law:

The Keepers and Guards of the Provincial Penitentiary and Lunatic Asylum.

83. The following persons, although enrolled, shall be exempt from attending muster or drill, except in case of war, invasion, or insurrection, viz:—

The Sedentary Militia: