

inspector of militia, shall not exceed the sum of two thousand dollars per annum. 22 Vict. (1859) c. 18, s. 11.

58. The commander-in-chief may from time to time appoint so many assistant adjutants-general, with such duties as he thinks proper or expedient, but no pay or allowances shall be made to them in respect of such appointment. 22 Vict. (1859) c. 18, s. 13.

59. There shall be in and for each military district an assistant quartermaster-general, whose duty it shall be to make himself thoroughly acquainted with the roads and communications and other matters appertaining to the topography of his district, and to furnish such information on the subject as may be required by the commander-in-chief, in which duty the officers of the volunteer engineer corps shall assist him with the local information they acquire. 18 Vict. c. 77, s. 50.

60. All contraventions of this Act, and of regulations or orders lawfully made or given under it, when the militia or that portion thereof to which the offender belongs, is not called out for actual service, shall be punishable by penalties to be imposed by one or more justices of the peace, and in a summary manner as herein-after provided, and in such cases courts-martial shall not be held. *Ibid.*, s. 51.

CALLING OUT THE MILITIA.

61. The commander-in-chief may call out the militia, or any part thereof, whenever it is in his opinion advisable so to do, by reason of war, invasion, or insurrection, or imminent danger of any of them. *Ibid.*, s. 52.

62. The colonel commanding any military district, or the lieutenant-colonel commanding any battalion division, may, upon any sudden emergency of invasion or insurrection, or imminent danger of either, call out the whole or any part of the militia within his command, until the pleasure of the commander-in-chief is known. *Ibid.*, s. 53.

63. The militia so called out by their colonel or lieutenant-colonel shall immediately obey all such orders as he may give and march to such place within or without the division as he may direct. *Ibid.*, s. 54.

64. When the militia of any local division are called out, in case of war, insurrection, or invasion, or imminent danger thereof, all companies of volunteers in such division shall be included in the order and shall obey the officer issuing it. *Ibid.*, s. 55.

65. When the whole militia of the province are called out all the volunteer companies shall be included and shall immediately obey the orders they receive. *Ibid.*, s. 56.

66. Each sedentary militiaman called out for actual service shall attend at such time and place as may be directed by the officer commanding him, with any arms and accoutrements he has received from the province, and with such provisions as such officer may direct. *Ibid.*, s. 57.

67. When the commander-in-chief calls out the militia, and the emergency is not such as to require that the whole of the sedentary militia or of any class thereof, or the whole in any militia division or of any class of militiamen therein, be taken for actual service, he may from time to time direct the number of men to be furnished from the sedentary militia of the whole province or of any militia division thereof, over and above the volunteer companies therein, which shall always be the first taken for actual service. *Ibid.*, s. 58.

68. The number of men to be so furnished shall in the first instance be taken from the first-class service men in the several company divisions in that part of the province to which the order applies, and in proportion as nearly as may be to the number of such men in each. Volunteers shall be first taken from each company, but if the number of volunteers be not sufficient, then such further number as may be required shall be drawn by lot under the superintendence of the commanding officer of the company, whose certificate that any man has been so drafted or volunteered or consented to serve as substitute for a drafted man shall be evidence of the fact. *Ibid.*, s. 59.

69. No militiaman drafted for actual service shall be exempt from serving, unless he forthwith pays a penalty of forty dollars, which shall be given to any approved man of the same class who is not himself drafted for service, and will serve in the place of the militiaman paying such penalty, or such militiaman may provide an approved substitute of the same class and not drafted to serve in his place; and any volunteer or substitute, by his consent to serve as such, shall become liable in all respects as if drafted. *Ibid.*, s. 60.

70. No man drafted and unfit from bodily infirmity to perform his duty shall be taken for service. *Ibid.*, s. 61.

71. If a greater number of men are required than the whole number of first-class service men, then the requisite number shall be taken from the second-class service men, in like manner. *Ibid.*, s. 62.

72. The sedentary militiamen so taken or drafted for actual service shall, by such officers as may be detailed for that purpose by the lieutenant-colonel of the battalion from which they are taken, be marched to such place as the commander-in-chief may appoint, and shall there be embodied into companies and battalions in such manner as the commander-in-chief may direct, and being so embodied shall be commanded by such officers as from their qualification and fitness he thinks proper to appoint. *Ibid.*, s. 63.

73. Any volunteer companies, so called out for actual service, may be embodied into battalions if the commander-in-chief thinks fit so to order. *Ibid.*, s. 64.

74. The militiamen so taken or drafted for actual service from the sedentary militia, shall serve during one year unless sooner disbanded, and may then be replaced by others taken as aforesaid, and shall not be liable to be again taken until all others in the same class have been taken. But the men in volunteer militia companies shall serve for the time for which they have engaged to serve, which time shall not be less than five years, subject however to be determined on one month's

neral may be amalgamated; salary in such case.

Any number of assistant adjutants-general may be appointed, but without pay. Assistant quartermaster-general.

Militia offences, how punishable, in time of peace, without courts-martial.

Commander-in-chief may call out militia in certain cases.

And colonels or lieutenant-colonels in their divisions until Governor's pleasure be known.

Militiamen bound to obey. Volunteer companies to be included.

And so when the whole militia is called out. Sedentary militiamen to attend with their arms.

When the whole are not taken a certain number may be directed to be furnished.

How such number shall be taken.

Drafting men.

Militiamen drafted must serve, find a substitute, or pay the fine.

Infirm persons exempted.

In what case second-class service men may be taken.

How men so taken shall be embodied and commanded.

Volunteer companies may be embodied.

Term of service.