

Dominion, shall be entitled to such exemption as is accorded to Active militiamen who complete any period of drill or training under this Act, save and except that the men who have been balloted under authority of chapter two of the Statutes of the late Province of Canada, passed in the twenty-seventh year of Her Majesty's reign, and of the amendments thereto, shall be liable to serve until replaced by Active militiamen organized under this Act, but shall not thereby be exempt from liability, if balloted to serve in any quota of militiamen required at any time to be organized under this Act.

## MILITARY DIVISIONS.

XII. Her Majesty may divide Canada into nine military districts, viz. one comprising the Province of Nova Scotia, one comprising the Province of New Brunswick, three in the Province of Quebec, and four in the Province of Ontario.

XIII. Her Majesty may alter the Districts, specified in the next preceding section, and increase or diminish the number thereof as may be deemed necessary; and may name the territorial divisions which shall form each of the three military districts of Quebec, and each of the four military districts of Ontario, and may alter the same from time to time.

XIV. Her Majesty may, from time to time, divide each military district into such number of regimental and brigade divisions as may be deemed expedient, and may subdivide such regimental divisions into company divisions;—and may, from time to time, alter such divisions or increase or diminish the number thereof; but all military districts and divisions existing on the day on which this Act shall come into force shall be continued as such, until altered under the provision of this Act.

## ENROLMENT.

XV. For each regimental division there shall be appointed from the residents therein, one Lieutenant Colonel and two Majors of Reserve Militia; but such officers may be appointed from among non residents in the Regimental division in exceptional cases in which it shall appear to Her Majesty that such appointments will be more conducive to the interests of the militia service, all orders and reports relating to the enrolment at any time of militiamen within the regimental division, shall be sent to and received through and be acted on by the Lieutenant Colonel, or in his absence through the senior Major of the division, for the time being, who shall act instead of the Lieutenant Colonel during such absence:

2. And for each Company Division there shall be appointed from the residents therein, one Captain, one Lieutenant and one Ensign of Reserve Militia, and all orders and reports relating to the enrolment at any time of Militiamen within the Company Division shall be sent to, and acted on by the Captain; or in his absence they shall be sent to the next senior Officer of the Company Division, for the time being, who shall act instead of the Captain during such absence.

XVI. The enrolment of the Militia shall be made in each Company Division by the Captain thereof, with the assistance of the Officers and non-commissioned officers of the Company Division;—and it shall be the duty of the Captain, and under his orders, of the other Officers and non-commissioned officers of the Company Division, by actual enquiry at each house therein, and by every other means in their power, to make and complete, on or before the 28th day of February, in the year 1869, and on or before the twenty eighth day of February in each alternate year

thereafter, a corrected roll, in duplicate, of the names of all the men in the different classes resident within the Company Division, specifying separately those who are seamen or sailors, or persons engaged in or upon any steam or sailing craft upon the lakes or waters of the Dominion, those who are bona fide enrolled members of any Company of Volunteer Militia, and those who, after the day on which this act shall come into force, shall have completed such a term of service in the Militia as will by law exempt them until they are again required in their turn to serve;

2. One copy of such roll is to be retained by the Captain, and the other to be forwarded, on or before the first day of April following the taking of the enrolment, to the Lieut. Colonel of the Regimental Division, which last named Officer shall cause a copy of all the rolls of Militiamen in the several Company Divisions within the Regimental Division to be forwarded without delay to the Adjutant General of Militia: but if from any cause the duties prescribed by this section cannot in any particular case be carried into effect within the time specified, a special Report of the facts relating to the delay shall be made to the Adjutant General, who shall without delay fix another period within which the enrolment shall be completed and the rolls be forwarded;

3. The enrolment shall be held to be an embodiment of all the militiamen enrolled, and shall render them liable to serve under the provisions of this Act, unless exempt by law.

## EXEMPTIONS.

XVII. The following persons only, between the ages of eighteen and sixty years, shall be exempt from enrolment, and from actual service at any time:

The Judges of all the Courts of Law or Equity in the Dominion of Canada;  
The Clergy and Ministers of all Religious denominations;  
The Professors in any College or University and all Teachers in religious orders;  
The Warden, Keepers and Guards of the Penitentiaries, and the Officers, Keepers and Guards of all public Lunatic Asylums;  
Persons disabled by bodily infirmity;  
The only son of a widow, being her only support;

2. And the following, though enrolled, shall be exempt from actual service at any time except in case of war, invasion or insurrection:

Half pay and Retired Officers of Her Majesty's Army or Navy;  
Seafaring Men and Sailors actually employed in their calling;  
Pilots and Apprentice Pilots during the season of navigation;  
Masters of Public and Common Schools actually engaged in teaching;

Any person bearing a certificate from the Society of Quakers, Menonists or Tunkers, or any inhabitant of Canada, of any Religious denomination, otherwise subject to Military duty, but who, from the doctrines of his Religion, is averse to bearing arms and refuses personal Military Service, shall be exempt from such service when balloted in time of peace, or war, upon such conditions and under such regulations as the Governor in Council may, from time to time, prescribe;

3. No person shall have the benefit of exemption, unless he has, at least one month before he claims such benefit, filed with the Captain of the Company Division within the limits whereof he resides, his Affidavit made before some Magistrate (or affirmation in cases where persons are allowed to affirm) of the facts on which he rests his claim;

4. Whenever exemption is claimed, whether on the ground of age or otherwise, the burden of proof shall be upon the claimant.

5. Exemption shall not prevent any person from serving, if he desires it and is not disabled by bodily infirmity.

## ACTIVE MILITIA.

XVIII. The Active Militia Force shall consist of troops of cavalry, field batteries of artillery, companies of mounted infantry, companies of engineers, brigades and batteries of garrison artillery, battalions and companies of infantry and naval and marine corps, in such proportions as Her Majesty shall appoint; and the strength of each such troop, battery, battalion, company or corps, shall be regulated, and officers appointed thereto, from time to time, by Her Majesty.

2. Her Majesty may make regulations for the enrolment of such horses as may be necessary for the purpose of Field Batteries of Artillery and Troops of Cavalry;

3. A military train and a medical staff, as well as commissariat, hospital and ambulance corps, may be formed whenever the exigencies of the service may require the same, at such places and in such manner, and of such strength, including the proper officers, as Her Majesty may direct.

XIX. Every Active militiaman shall sign a service roll in which the conditions of his service shall be stated; and every officer of militia, on appointment, and every non commissioned officer and man, on enrolment, shall take the oath following:

"I, A. B., do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty."

Which oath may be administered by the commanding officer of the corps, he having previously taken the oath before a Justice of the Peace.

XX. Her Majesty may accept the services of corps of Volunteers, under such regulations as may from time to time be made.

XXI. Any Volunteer Corps may enter into any articles of engagement and make regulations not inconsistent with this Act, to be approved by Her Majesty; but the commanding officers of all corps of volunteer militia shall be responsible that their corps respectively are kept up to the full strength, and in the event of failure of any Corps to maintain such complement of men for each respectively as Her Majesty may consider necessary for its efficiency, or of any Corps becoming inefficient, Her Majesty may disband such Corps; and may also disband any Corps of Volunteer Militia if considered necessary to do so.

## BALLOTING.

XXII. At any time when the Militia are required to be drafted in any Regimental Division, each Company Division therein shall, subject to the provisions of the sections immediately following the present section, contribute its quota according to the number of militiamen on the rolls and liable to serve, of the class, or classes, from which the men are to be taken; and when Volunteer or Regular, or Marine Militiamen, are accepted or taken or balloted to serve in any quota, the Company Division or Divisions furnishing the men shall receive credit therefor; and the Active Militiamen taken, or accepted, and enrolled for service, from time to time, in any Company or Regimental Division, shall be attached or appointed to such companies, corps, or battalions of the Active Militia as Her Majesty may order.

2. When a Volunteer Corps in any Regimental Division for any cause ceases to exist, Her Majesty may make good the quota of that Division by the organization of