

SESSIONAL PAPER No. 30

to issue his orders to the several Commanding Officers and also to direct and authorise any Officer, having first obtained a warrant for such purpose from one of His Majesty's Justices of the Peace, to impress such carriages and horses as the service may require, for the use of which the owner or owners thereof shall be entitled to receive the sum of seven shillings and six pence per day, for every cart or carriage with two horses or oxen, during such time as the same shall be employed or detained on public service. Provided always, that whenever it shall happen that only part of the body of the Militia of this Province, shall be called out for actual service, it shall and may be lawful for any person being of the Militia of the County or Riding that may be so called out, to provide and send an able bodied man to serve in the said Militia in his stead, and such able bodied man, shall be taken and received as a proper substitute for such person living in the County or Riding that would otherwise be obliged to serve in the said part of the Militia called out as aforesaid.

XV. And be it further enacted, that every person who shall sell or barter any part of the arms, ammunition or equipments, which may be delivered out of His Majesty's Stores to the Militia, or any ammunition which may be furnished by His Majesty for training and exercising the said Militia, and every person who shall buy or by barter obtain the same, shall severally and respectively forfeit and pay the sum of five pounds for every offence on conviction thereof, by the oath of any one credible witness before any Justice of the Peace residing within the County where the same has been committed, and in case the person or persons so selling any part of his or their arms, ammunition or equipments as aforesaid, or the person or persons obtaining the same in manner aforesaid being therefor convicted as aforesaid, shall neglect or refuse to pay the said sum of five pounds, it shall and may be lawful for the Justice by a warrant under his hand, to commit such person or persons to the Gaol of the County or District where the offence shall be committed for any space of time not exceeding two months. Provided always, that it shall and may be lawful for the said Justice to discharge the person or persons so offending, any time before the expiration of the said two months, when the person or persons so convicted as aforesaid shall tender to the said Justice the penalty inflicted by this Act.

XVI. And be it further enacted, that in the several Counties and Ridings where the number of men is sufficient, the Militia shall be formed into Regiments consisting of not more than ten, nor less than five companies, which companies shall consist of not more than fifty, nor less than twenty private men, and the field officers of such regiments shall be as follows, that is to say, one Colonel, one Lieutenant Colonel and one Major, and where the number of Militia shall amount to a number under eight, and not less than five companies, such Militia shall be formed into a Battalion, and the Field Officers of such Battalion, shall be one Lieutenant Colonel, and one Major only, and in each regiment or battalion of Militia there shall be one Captain, one Lieutenant, and one Ensign to each company. Provided always, that it shall and may be lawful for every Battalion consisting of five companies or upwards, to have one company of Grenadiers or Light Infantry, to which two Lieutenants shall be appointed instead of one Lieutenant, and one Ensign. And it shall be lawful for every regiment consisting of eight companies or upwards to have one company of Grenadiers and one of Light Infantry, to each of which companies two Lieutenants shall be appointed instead of one Lieutenant and one Ensign.

XVII. And be it further enacted, that to every regiment or battalion of Militia which shall consist of five or more companies, there shall be in addition to the officers already mentioned, one Adjutant and one Quarter Master.

XVIII. And be it further enacted, that in the several Counties and Ridings where the Militia men are not in number sufficient to form a regiment or battalion