

ince to form themselves into companies as heretofore they have used to do in time of war without law, and for each company by majority of votes in the way of ballot to choose its own officers, to wit: a Captain, Lieutenant and Ensign, and present them to the Governor or Commander-in-chief for the time being for his approbation; which officers so chosen, if approved and commissioned by him, shall be the Captain, Lieutenant and Ensign of each company respectively according to their commissions, and the said companies being divided into regiments by the Governor or Commander-in-chief, it shall and may be lawful for the officers so chosen and commissioned for the several companies of each regiment to meet together and by majority of votes in the way of ballot to choose a Colonel, Lieut.-Colonel and Major for the regiment and present them to the Governor or Commander-in-chief for his approbation, which officers so chosen, if approved and commissioned by him, shall be the Colonel, Lieut.-Colonel and Major of the regiment according to their commissions during the continuance of this Act.

*Provided always*—That if the Governor or Commander-in-chief shall not think fit to grant his commission to any officer so first chosen and presented, it shall and may be lawful for the electors of such officer to choose two other persons in his stead and present them to the Governor or Commander-in-chief, one of whom, at his pleasure, shall receive his commission and be the officer as aforesaid.

*And be it further enacted by the authority aforesaid*—That as soon as the said companies and regiments are formed and their officers commissioned as aforesaid, it shall and may be lawful to and for the Governor or Commander-in-chief by and with the advice and consent of the Colonels, Lieut.-Colonels and Majors of all the regiments being for that purpose by him called and convened, or by and with the advice and consent of a majority of the said officers that shall be met and present, together on such call to form, make and establish Articles of War for the better government of the forces that shall be under their command and for bringing offenders against the same to Justice; and to erect and constitute Court Martial with powers to hear, try, or determine any crimes by such Articles of War, when made as aforesaid, and inflict penalties by sentence or judgment of same on those who shall be subject thereto in any place within this Province, which Articles of War when made as aforesaid, shall be printed and distributed to the Captains of the several companies and by them distinctly read to their respective companies; and all and every Captain, Lieutenant, Ensign or other freeman who shall after at least three days consideration of the said Articles voluntarily sign the same in presence of some one Justice of the Peace acknowledging his having perused or heard the same distinctly read and that he has well

considered thereof, and is willing to be bound and governed thereby, and promises obedience thereto, and to his officers accordingly, shall thenceforth be deemed well and duly bound to the observance of the said Articles and to the duties thereby required, and subject to the pains, penalties, punishments and forfeitures that may therein be appointed on disobedience and other offences.

*Provided always*—That the Articles so to be made and established shall contain nothing repugnant, but be as near as possible conformable to the military laws of Great Britain and to the Articles of War made and established by His Majesty in pursuance of the last Act of Parliament for punishing mutiny and desertion: the different circumstances of this Province compared with Great Britain and of a voluntary militia of freemen compared with mercenary standing troops being duly weighed and mutually considered.

*Provided always*—That nothing in this Act shall be understood or construed to give any power or authority to the Governor or Commander-in-chief and the said officers to make any Articles or Rules that shall in the least affect those of the inhabitants of the Province who are conscientiously scrupulous of bearing arms, either in their liberties, persons or estates, nor any other persons of what persuasion or denomination soever who have not first voluntarily and freely signed the said Articles after due consideration as aforesaid.

*Provided also*—That no youth under the age of twenty one years nor any *bought* servant or indentured apprentice shall be admitted to enrol himself or be capable of being enrolled in the said companies or regiments without the consent of his or their parents or guardians, masters or mistresses in writing under their hands first had and obtained.

*Provided also*—That no enlistment or enrolment in any of the companies or regiments to be formed or raised aforesaid, shall protect such person in any suit or civil action brought against him by his creditors or others except during his being in actual service in field or garrison, nor from a prosecution for any offence committed against the laws of this Province.

*Provided also*—That no regiment, company or party of Volunteers shall by virtue of this Act, be compelled or led more than three days march beyond the inhabited parts of the Province, nor detained longer than three weeks in any garrison without an express engagement for that purpose first voluntarily entered into and subscribed by every man so to march or remain in garrison.

This Act to continue in force until the 30th day of October next and no longer.

**FRONTENAC ELECTION.**—Mr. Calvin has been returned member of the local legislature, for the county of Frontenac, by a majority of over 400 over his opponent, Mr. Britton. The member elect fills the vacancy caused by the death of Sir Henry Smith.

## THE INCIDENTS OF A SIEGE.

### TERRIBLE SUFFERINGS.

The *Anglo-Brazilian Times* published a narrative of the events which occurred in connection with the evacuation of Humaita, and the subsequent surrender, after a struggle of more than a week's duration, of the Paraguayan garrison:—

"To evacuate Humaita the Paraguayans had 80 or 100 boats, and the evacuation was going on for a week before it was completed. First the families were removed, then the sick, the prisoners, a large quantity of munitions, the remainder of their food, and finally the garrison, the outpost being maintained to the last moment to deceive the allies. Almost all the non-combatants, and probably at least a third of the garrison, passed through the lake in the middle of the narrow peninsula without exciting suspicion, and it was only on the withdrawal of the outposts at Humaita that the allies became aware of the fact that the garrison was withdrawing to Timbo. The allied forces in the Chaco were then raised to 10,000 men, and the gunboats were brought up and grape was poured into the narrow peninsula, which, however, being covered with bush, thickets, and tall reeds, favored the concealment of the Paraguayan movements. Hidden in the thickets the Paraguayans had some heavy cannon, which played on the vessels: while, opposed to the allied position, they had a strong battery which guarded them from attack on that side. They transported boats overland to the lake, and armed some with small cannon, and during the night of the 25th of July no doubt many escaped, being assisted by the Paraguayans in Timbo. During the 26th the escape continued, but the allies made great exertions to open space for their fire and to carry small cannon over to commanding points. In doing this they were frequently attacked by the armed boats. At night on the 26th a great effort was made by the Paraguayans to escape in the darkness, with 30 to 40 boats and 600 to 800 men. Being discovered, a heavy fire was kept up upon them, and some of the boats were forced to return; but others with the support of the armed boats of the Timbo Paraguayans, succeeded in passing, but with heavy loss. Gelly y Obes says they lost 500 out of 1000. Two more flats with cannon were brought from Timbo and placed in the lake, and on the 27th the Brazilians dragged over some from the river to contend with them on the lake. After a reconnaissance upon the 27th, in which loss was experienced, on the 28th an assault was attempted by the Brazilians, to the number of 3000 to 4000 men, upon the battery which the Paraguayans had, but they were received with so severe a fire from the battery and from infantry posted in the woods, that they were forced to retire after losing 400 men in the vain attempt. Fights continued daily and nightly between the allies and the garrison, aided in their attempts to escape by the Paraguayans of Timbo, and on the night of the 29th the last sent over some 20 boats to transport part of the garrison across and carry cooked meat to the rest. Only a few succeeded in getting over, because of the fire poured in from 11 cannon and a large number of troops. On the night of the 31st, some 12 boats made an attempt to escape, but were beaten back by the armed boats stationed on the lake. They, however, returned suddenly, and, overpowering one of the boats, succeeded in passing and escaping. At midnight of the 1st of August another affair occurred, eight or ten