

Term of Service.

65. 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 shall 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 notice, as hereinbefore mentioned, provided that no Volunteer shall leave the service either with or without notice at any time when the Militia are called out, unless he be regularly discharged, or have served out the time for which he engaged.

Where to serve.

66. The Militia so called out may be marched to any part of the Province, or to any place without the Province, but conterminous therewith, where the enemy may be, and from which an attack on this Province may be apprehended.

On Active Service, subject to the Articles of War.

67. The Militia so called out, and every officer or man belonging to it, from the time he shall be ordered, taken, or drafted for actual service, shall be subject to the articles of war, and to the Act for punishing mutiny and desertion, and all other laws then applicable to Her Majesty's troops in this Province, and not inconsistent with this Act, except that no Militiaman shall be subject to any corporal punishment, except death or imprisonment for any contravention of such laws, and except, also, that the Commander-in-Chief may direct that any provisions of the said laws shall not apply to the Militia.

Rank of Officers.

68. Any body of Militia so called out shall be commanded by the officer highest in rank then present, or the senior of two or more officers of equal rank. Officers of Her Majesty's regular army shall always be reckoned senior to all Militia Officers of the same rank, whatever be the date of the respective commissions; and Colonels appointed by commission, signed