

REGULATIONS FOR BILLETING AND CANTONING TROOPS AND MILITIA WHEN ON ACTUAL SERVICE, AND FURNISHING CARRIAGES, HORSES, &c., FOR THEIR TRANSPORT AND USE.

LXIX. The Governor in Council may make regulations for the billeting and cantoning of Troops and Militia when on active service, for the furnishing of carriages, horses and other conveyance for their transport and use, and for adequate compensation therefor; and may by such regulations impose fines not exceeding twenty dollars, and imprisonment in cases of default of payment of such fines.

LXX. Any person lawfully required under this Act, or by any regulation made under the authority thereof, to furnish any railway car or engine, boat or other craft, for the conveyance or use of any Troops or Militia, who neglects or refuses to furnish the same, shall thereby incur a penalty not exceeding four hundred dollars for each such offence.

LXXI. Nothing in this Act contained or in any regulations made under the authority thereof shall be construed to authorize the quartering or billeting of any Troops or Militia, either on a march or in cantonment, in any Convent or Nunnery of any Religious Order of Females, or to oblige any such Religious Order to receive such Troops or Militia, or to furnish them with lodging or house room.

#### COURTS OF ENQUIRY AND COURTS MARTIAL.

LXXII. Her Majesty may convene Courts of Enquiry and appoint officers of the militia to constitute such Courts, for the purpose of investigating and reporting on any matter connected with the government or discipline of the militia, and with the conduct of any officer, non-commissioned officer or private of the force; and shall have power at any time to convene Militia Courts Martial and to delegate power to convene such Courts, and to appoint Officers to constitute the same, for the purpose of trying any officer, non-commissioned officer or private of the militia for any offences under this Act, but no officer of Her Majesty's regular army on full pay shall sit on any Militia Court Martial.

LXXIII. The regulations for the composition of Militia Courts of Enquiry and Courts Martial, and the modes of procedure and powers thereof, shall be the same as the regulations which may at the time be in force for the composition, modes of procedure and powers, of Courts of Enquiry and Courts Martial for Her Majesty's regular army, and which are not inconsistent with this Act; and the pay and allowances of officers and others attending such Courts may be fixed by the Governor in Council.

LXXIV. No militia officer or militiaman shall be sentenced to death by any Court Martial except for mutiny, desertion to the enemy, or traitorously delivering up to the enemy any garrison, fortress, post or guard, or traitorous correspondence with the enemy:—and no sentence of any General Court Martial shall be carried into effect until approved by Her Majesty.

#### OFFENCES AND PENALTIES.

LXXV. Any Officer commanding a corps of militia, who knowingly shall claim pay on account of any drills performed with his corps for any man belonging to any other corps of militia, shall be guilty of a misdemeanor, and shall likewise be liable to be tried and punished by Court Martial; and any Officer commanding a corps of militia, who shall include in any parade state or other Return, any man not duly enrolled and attested as a militiaman, shall be guilty of a misdemeanor, and shall be likewise liable to be tried and punished by Court Martial; and any non-commissioned officer or private of the

militia who may claim or receive pay on account of any drill performed in the ranks of any other than his own proper corps, shall be guilty of a misdemeanor, and shall likewise be liable to be tried and punished by Court Martial.

LXXVI. Any officer or non-commissioned officer of the militia who obtains, under false pretences, or who retains or keeps in his own possession, with intent to apply to his own use or benefit, any of the pay or moneys belonging to any officer, non-commissioned officer or private of any corps, shall be guilty of a misdemeanor, and shall be dismissed the service; and any officer or non-commissioned officer who may sign a false parade state, roll, or pay list, or any false return whatever, shall be guilty of a misdemeanor, and shall be likewise liable to be tried by Court Martial for the offence; and any person making an Affidavit or Declaration required in and by this Act, or by any regulation made under the authority thereof, and swearing or declaring falsely therein, shall be guilty of perjury.

LXXVII. Any person of whom information is required by any officer, or non-commissioned officer, making any Militia Roll, in order to enable him to comply with the provisions of this Act, refusing to give such information or giving false information, shall forfeit and pay a penalty not exceeding twenty dollars for each item of information demanded of him and falsely stated, and the like sum for each individual name that may be refused, concealed or falsely stated, and every person refusing to give his own name and proper information, when applied to as aforesaid, or giving a false name or information, shall forfeit and pay a penalty not exceeding twenty dollars:

2. Any officer or non-commissioned officer of the militia, refusing or neglecting to make any enrolment or ballot or to make or transmit, as herein prescribed, any roll or return, or copy thereof, required by this Act or by any regulation made under the authority thereof, shall incur a penalty, if an Officer, not exceeding fifty dollars, if a non-commissioned officer, not exceeding twenty-five dollars for each offence.

LXXVIII. Any militiaman, drafted or liable to be drafted for service, who shall refuse or neglect to take the oath hereinbefore prescribed, when tendered to him by a Justice of the Peace or by any Commissioned Officer in command of the corps to which such militiaman belongs, or in whose District he resides, shall be subject to imprisonment for a period not exceeding six months, and for every subsequent neglect or refusal to take such oath shall be subject to a further imprisonment not exceeding twelve months; and he may on due proof in either case be summarily committed upon the warrant of any two Justices of the Peace

LXXIX. Any officer, non-commissioned officer or private who shall falsely personate another at any parade of the militia, or on any other occasion, for any of the purposes required by this Act, shall be liable to a fine not exceeding one hundred dollars and shall be guilty of a misdemeanor; and any officer or non-commissioned officer of the militia refusing or neglecting to assist his Commanding officer in making any roll or return, or refusing or neglecting to obtain or to assist him in obtaining any information which he may require in order to make or correct any roll or return, shall incur a penalty, if an officer, not exceeding fifty dollars; if a non-commissioned officer, not exceeding twenty-five dollars for each offence, and any person refusing or neglecting to give any notice or information necessary for

making or correcting the roll of any company, which he is required by this Act to give to the Commanding officer of such company or to any officer or non-commissioned officer thereof demanding the same at any reasonable hour and place, shall incur a penalty of ten dollars for each offence.

LXXX. Any officer, non-commissioned officer or private of the militia who, without lawful excuse, neglects or refuses to attend any parade or drill or training at the place and hour appointed therefor, or who refuses or neglects to obey any lawful order at or concerning such parade, drill or training, shall incur a penalty, if an officer, of ten dollars, if a non-commissioned officer or private of five dollars, for each offence; and absence for each day shall be held to be a separate offence; and any person who interrupts or hinders any militia at drill, or trespasses on the bounds set out by the proper officer for such drill, shall incur a penalty of five dollars for each offence, and may be taken into custody and detained by any person by the order of the Commanding officer, until such drill be over for the day; and any officer non-commissioned officer or private disobeying any lawful order of his superior officer, or being guilty of any insolent or disorderly behaviour towards such officer, shall incur a penalty, if an officer of twenty dollars, if a non-commissioned officer or private of ten dollars for each offence.

LXXXI. Any non-commissioned officer or private who fails to keep in proper order any arms or accoutrements delivered or entrusted to him, or who appears at drill, parade, or on any other occasion, with his arms or accoutrements out of proper order, or unserviceable, or deficient in any respect, shall incur a penalty of four dollars for each such offence; and any person who unlawfully disposes of or removes any arms, accoutrements or other articles belonging to the Crown, or who refuses to deliver up the same when lawfully required, or has the same in his possession, except for lawful cause, (the proof of which shall lie upon him) shall incur a penalty of twenty dollars for each offence;—but this shall not prevent such offender from being indicted and punished for any greater offence if the facts amount to such, instead of being subjected to the penalty aforesaid;—and any person charged with any act subjecting him to the penalty imposed by this section may be arrested by order of the Magistrate before whom the complaint is made, upon affidavit shewing that there is reason to believe that such person is about to leave Canada, carrying with him any such arms, accoutrements or articles.

LXXXII. Any Officer, non-commissioned officer or private of the militia who, when his corps is lawfully called upon to act in aid of the civil power, refuses or neglects to go out with such corps, or to obey any lawful order of his superior officer, shall incur a penalty, if any officer not exceeding forty dollars, if a non-commissioned officer or private, not exceeding twenty dollars for each offence.

LXXXIII. Any person who resists any draft of men enrolled under this Act, or counsels or aids any person to resist any such draft, or in the performance of any service in relation thereto, or counsels any drafted man not to appear at the place of rendezvous, or wilfully dissuades him from the performance of any duty required by law of Militiamen, shall, upon conviction thereof, be subject to a fine of not exceeding one hundred dollars, or to imprisonment not exceeding six months, or to both the said punishments

LXXXIV. Any person who wilfully con-