

Gov &c. to
appoint officers
to command the
Militia—also
staff officers—
rank of Militia
Officers with
those of his Ma-
jesty's forces.

Governor, or Person administering the Government of this Province, from time to time, to constitute and appoint by Commission under his Hand and Seal, a sufficient number of Officers to train, discipline and command the Militia of the Province, and also such number of Staff Officers as he shall think necessary, and the Officers so appointed for the Militia, shall rank with such of the officers of his Majesty's Forces as may for the time being serve within this Province, as youngest of their respective ranks. Provided always, That Lieutenant Colonels in his Majesty's Army shall command all Militia Officers whatever.

Militia shall
be formed into
regiments, num-
ber of men to
each company.

IV. And be it further enacted by the authority aforesaid, That in the several Districts, Counties and Ridings, the Militia shall be formed into Regiments, consisting of not more than ten, nor less than five Companies; two of which Companies shall be styled Flank Companies, and shall be formed in manner hereafter mentioned; which companies (the Flank Companies excepted) shall consist of not more than one hundred, nor less than twenty private men each.

Returns of
persons liable to
Militia duty
how to be made.

V. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the Colonel, Lieutenant Colonel, or Officer commanding any Regiment or Battalion, and he is hereby required to order and direct the Adjutant of such Regiment or Battalion, as often as the same may be necessary, to furnish him with complete Returns of all and every person or persons within the limits of such Regiment or Battalion liable to Militia Duty, specifying their age and place of abode, and the more easily to enable the Adjutant so to do, it shall be lawful for him to call upon any Captain or Officer commanding a Company for a Return of the names of the Men of his Company, and also of the names of such persons as may have lately removed to any place within the limits of his Company, and after he shall have been furnished with such Return as aforesaid, to form the Militia men so returned into Companies, in such manner as to him shall seem most conducive to the interests of the service.

Age & enroll-
ment of persons
liable to serve
in the Militia—
when militia
man above fif-
ty years of age
called upon to
bear arms.

VI. And be it further enacted by the authority aforesaid, That every Male Inhabitant from the age of sixteen years to sixty, now resident, or who may hereafter become resident within the limits of any Regiment or Battalion as aforesaid, shall be deemed capable of bearing arms, and shall be considered a Militia-man, and shall within eight days after he shall have attained the age of sixteen years, or become resident within the limits of any such Regiment or Battalion, enroll his name with some one Captain or other officer commanding a company of the said Regiment or Battalion, who is hereby authorized and required to transmit the same with all convenient speed, to the Adjutant thereof, for the information of the Colonel. Provided always, That no person above the age of fifty years shall be called upon to bear arms, except on the day of annual meeting, or in time of war or emergency.

Absence shall
not prevent en-
rollment, & the
performance af-
terwards of mi-
litia duty—Mili-
tia man to prove
his own age,
when such
proof is necessa-
ry.

VII. Provided also, and be it further enacted by the authority aforesaid, That the neglect of any person so to present himself for enrollment, shall not be construed to prevent the name of such person being enrolled, and such Colonel, or Officer commanding, is hereby required to enter the name of every such person as shall come to his knowledge, upon the Enrollment of the Regiment or Battalion, and when so entered, every such person shall be subject to perform all and every the like Militia Duties, and under the same penalties as if he had personally presented himself for enrollment. Provided also, That if any difference shall arise between any Captain or Officer and any Militia man touching the age of such Militia-man, it shall be incumbent on the said Militia-man to prove his age.