

C A P . I I .

An Act respecting the Militia.

[Assented to 15th October, 1863.]

Preamble.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Governor to be
Commander in
Chief.

1. The Governor shall, by virtue of his Office, be Commander in Chief of the Militia.

Of whom the
Militia shall
consist.

2. The Militia shall consist of all the male inhabitants of the Province of the age of eighteen years or upwards and under sixty, not exempted or disqualified by law.

Militia divided
into three
classes.

First.

3. The Militia shall be divided into three classes, to be called respectively first class Service Men, second class Service Men and Reserve Men : the first class Service Men shall be those of eighteen years of age and upwards, but under forty-five years, who are unmarried Men or widowers without children; and the second class Service Men shall be those between the ages last aforesaid who are married Men or widowers with children,—and the Reserve Men shall be those of forty-five years of age and upwards, but under sixty years.

Second.

Reserve.

EXEMPTIONS:

Certain func-
tionaries &c.,
to be wholly
exempt.

4. The following persons only, between the ages of eighteen and sixty years, shall be exempt from enrolment as hereinafter mentioned, and from actual service at any time :

The Judges of the Superior Courts of Law or Equity in Upper and Lower Canada ;

The Judge of the Court of Vice-Admiralty ;

The Judges of the County Courts ;

The Clergy and Ministers of all Religious denominations ;

The Professors in any College or University and all teachers in religious orders ;

The Warden, Keepers and Guards of the Provincial Penitentiary ;

Exemptions
except in case
of war, &c.

2. And the following, though enrolled, shall be exempt from attending muster and from actual service at any time except in case of war, invasion or insurrection :

The Reserve Men ;

The Members of the Executive and Legislative Councils ;