

other persons upon whom such officers and soldiers are billeted, out of their pay and subsistence money, before any part of the said pay or subsistence money shall be distributed to them respectively, provided such demands do not exceed in amount their pay and subsistence money for the time, beyond which credit is not to be granted. *Ibid.*, s. 78.

officers and soldiers out of their pay, &c.

88. When the safety of this province requires that the said troops of Her Majesty or militia, or any regiment, battalion, or detachment of the same should be cantoned in any part of this province, any justice of the peace in the places where such troops or militia are cantoned, shall, upon receiving an order from the officer commanding them, or on a requisition from the officer commanding any such cantonment, quarter and billet the officers, non-commissioned officers, drummers, and privates of the said troops or militia, upon the several inhabitant householders, as near as may be to the place of cantonment, avoiding as much as possible to incommode the said inhabitants, and taking due care to accommodate the said troops or militia. *Ibid.*, s. 79.

Quartering and billeting troops &c., in cantonments.

89. If any inhabitant considers himself aggrieved by having a greater number of the said troops or militia billeted upon him then he ought to bear in proportion to his neighbours, then, on complaint being made to two or more justices of the locality where such troops or militia are cantoned, they may relieve such inhabitants, by ordering such and so many of the said troops or militia to be removed and quartered upon such other person or persons as they see cause, and such other person or persons shall receive such troops or militia accordingly. *Ibid.*, s. 80.

Complaint of persons aggrieved and how redressed.

90. No justice of the peace having any military office or commission in the said troops or militia shall directly or indirectly be concerned in the quartering or billeting of any officer, non-commissioned officer, or soldier of the regiment, corps, or detachment under the immediate command of such justice or justices. *Ibid.*, s. 81.

No justice, being an officer to billet or quarter troops.

91. Nothing in this Act contained 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. *Ibid.*, s. 82.

Troops not to be billeted upon nuns, &c.

92. When any troops of Her Majesty or any militia are so cantoned as aforesaid, any justice of the peace where such cantonment is made, upon receiving an order to that effect from the officer commanding the said troops or militia, or a requisition in writing from the officer commanding that cantonment, for such and so many carriages as may be requisite and necessary for the said troops or militia, shall issue his warrant to such person or persons as are possessed of carriages, horses, or oxen, within his jurisdiction requiring him or them to furnish the same for the service aforesaid, and if any person after receiving such warrant refuses to furnish the same they may be impressed and taken for such service; but no such carriage, horse, or ox, or any carriage, horse, or ox mentioned in the previous sections of this Act shall be compelled to proceed more than thirty miles, unless in cases where other carriages, horses, or oxen cannot immediately be had to replace them; and such carriages, horses, or oxen shall be paid for at the usual rate of hire. *Ibid.*, s. 83.

Justice may require persons to furnish carriages, &c., for troops.

May be impressed on refusal to furnish. Limitation of travel.

93. In cases of emergency, when it is necessary to provide proper and speedy means for the conveyance by railway or by water of the troops of Her Majesty or of the militia, and also of their ammunition, stores, provisions, and baggage, any justice of the peace of and in the locality where such troops or militia are either on a march or in cantonment, upon receiving a requisition in writing from the officer commanding such troops or militia, for such railway cars and engines, boats, or other craft, as are requisite for the conveyance of the said troops or militia, and their ammunition, stores, provisions, and baggage, shall issue his warrant to such person or persons as are possessed of such railway cars and engines, boats, or other craft within his jurisdiction, requiring him or them to furnish the same for that service, at and after the rate of payment to be allowed by the said justice, not exceeding the usual rate of hire for such railway cars and engines, boats, or other craft; and if any such person neglects or refuses, after receiving such warrant, to furnish such railway cars or engines, or boats or other craft for that service, such railway cars or engines, boats or other craft may be impressed and taken for such service; but nothing herein shall impair the effect of any Act obliging any railway company to convey such troops, militia, and other articles aforesaid, in any manner or on any terms and conditions therein mentioned, or to release any such company from any obligation or penalty thereby imposed. *Ibid.*, s. 84.

How paid.

In case of emergency boats, &c., may be required in like manner.

Rate of pay for the same.

May be impressed on refusal to furnish.

As to Railway Companies.

#### OFFENCES AND PENALTIES.

94. Any officer or commissioned officer of militia of this province appointed or to be appointed to the active force or to the sedentary 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 non-commissioned officer or private of any corps shall be guilty of a misdemeanor and shall be dismissed from the said militia force. 22 Vict. (1859) c. 18, s. 17.

Unlawfully retaining moneys belonging to militiamen to be a misdemeanor.

Offender to be dismissed.

95. Any person making an affidavit or declaration required in and by this Act, and swearing or declaring falsely therein, shall be guilty of perjury. 22 Vict. (1859) c. 18, s. 19.

False swearing to be perjury.

96. Any officer of militia refusing or neglecting to make or transmit, as herein prescribed, any roll or return or copy thereof, required by this Act or by any lawful authority, or wilfully making any false statement in any such roll, return, or copy, shall thereby incur a penalty of forty dollars for each offence. 18 Vict. c. 77, s. 85.

Refusal to make roll, &c.

Penalty.

97. Any officer or non-commissioned officer of militia refusing or neglecting to assist his commanding officer in making any such 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 thereby incur a penalty of twenty dollars for each offence. *Ibid.*, s. 86.

Refusing to assist in making rolls, &c.

98. Any militiaman or other person refusing or neglecting to give any notice or information necessary for making or correcting the roll of any company, and which he is required by this Act to

Refusing to give information for making roll, &c.