

And so when the whole militia is called out.

Militiamen to attend with arms and provisions.

Persons unfit for duty to be rejected and another drafted.

Militia, when called out, &c. to be subject to articles of war.

Rank and command of officers as regards militia

For what offences only militiamen may be sentenced to death.

Officer of regular army on full pay not to sit, &c.

What shall be furnished by those on whom they are billeted.

Impressing carriages, &c. on emergency.

Justice of the peace to billet on requisition of commanding officer.

Lodging of officers not to be paid for; allowance for men billeted; proper officers to settle accounts of officers and soldiers out of their pay, &c.

Quartering and billeting troop, &c. in cantonments.

Complaint of persons aggrieved, and how redressed.

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

143. When the whole militia of the province are called out all the volunteer corps shall be included and shall immediately obey the orders they receive.

144. Each active or sedentary militiamen called out for actual service shall attend at such time and place as may be directed by the officer commanding him, with any arms and accoutrements he has received from the province, and with such provisions as such officer may direct.

145. No man drafted and unfit from bodily infirmity to perform his duty shall be taken for service, but another man fit for service shall be drafted in his stead.

146. The militia so called out, for training, or in aid of the civil power, or for actual service, and every officer or man belonging to it shall from the time he has been ordered, taken, or drafted for any of such services, in addition to the penalties imposed by this Act, 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.

147. 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 dates of the respective commissions; and colonels appointed by commission signed by the commander of Her Majesty's regular forces in Canada shall command colonels of militia, whatever be the date of their respective commissions.

148. 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 the commander-in-chief.

149. No officer of Her Majesty's regular army on full pay shall sit on any militia court martial.

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

150. When Her Majesty's regular forces or the militia are on a march within this province, and billeted as herein-after mentioned, every householder therein shall, when required, furnish them with house-room, fire and utensils for cooking, and candles; and in cases of emergency, by actual invasion or otherwise, the officer commanding the regiment, battalion, or detachment of troops or militia, may direct and empower any officer or non-commissioned officer of the same, or other person, after having first obtained a warrant for such purpose from a justice of the peace, to impress and take such horses, carriages or oxen as the service may require, the use of which shall be thereafter paid for at the usual rate of hire for such horses, carriages, or oxen.

151. When the said troops of Her Majesty, or the militia, or any regiment, battalion, or detachment of the same, are on a march as aforesaid, the officer or non-commissioned officer commanding them shall require a justice of the peace to billet, and such justice shall immediately thereupon so billet the said troops or militia as to facilitate their march, and in such manner as may be most commodious to the inhabitants. And every inhabitant householder shall receive the troops or militia so billeted upon him, and furnish them with the lodging and articles mentioned in the next preceding section.

152. No officer shall be obliged to pay for his lodging where he is regularly billeted; but each householder upon whom such soldiers are billeted shall receive from Government, for each non-commissioned officer, drummer, and private of infantry, a daily rate of ten cents, and for each cavalry soldier, whose horse shall be also provided with stabling and forage, a daily rate of twenty-five cents. And every officer or non-commissioned officer to whom it belongs to receive, or who does actually receive the pay for any officers or soldiers, shall, every four days, or before they quit their quarters if they do not remain so long as four days, settle the just demands of all householders, victuallers, or 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.

153. 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.

154. If any inhabitant considers himself aggrieved by having a greater number of the said troops or militia billeted upon him than 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 inhabitant, 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.

155. 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.