

3. Her Majesty may, however, when the militia is called out, and the exigencies of the service so require, appoint therein Colonels and other Officers of superior rank, in no case to exceed that of Major General.

XXXIV. Her Majesty may appoint Staff Officers of the militia with such rank as from time to time may be found requisite or necessary for the efficiency of the militia service; and such Staff Officers shall have such rank and authority in the militia as are held relatively in Her Majesty's service, and their duties shall be such as may from time to time be prescribed.

XXXV. The relative rank and authority of Officers in the militia of Canada, shall be the same as the relative rank and authority of Officers in Her Majesty's regular army, and any body of militia assembled on parade, shall be commanded by the Officer highest in rank then present, on duty and in uniform, or the senior of two or more Officers of equal rank; provided that no Officer whose rank is provisional only shall under any circumstances command an officer of the same grade whose rank is substantive.

XXXVI. Officers of Her Majesty's Regular Army shall always be reckoned senior to militia officers of the same rank, whatever be the dates of their respective commissions;—and Colonels appointed by the commission signed by the Commander of Her Majesty's Regular Force in Canada, shall command colonels of militia, whatever be the dates of their respective commissions.

* CLOTHING, AND ARMS AND ACCOUTREMENTS.

XXXVII. Officers shall provide their own uniforms, arms and accoutrements and the arms and accoutrements of all officers on the militia staff, and of the officers and men of the Active Militia, and the horses used by them as such, shall be exempt from seizure in execution and from distress and assessment; and the officers, non-commissioned officers and men of the Active Militia, shall be exempt from serving as jurors or constables; and a certificate, under the hand of the commanding officer of such corps, shall be sufficient evidence of 'he service in his corps of any officer, non-commissioned officer or man.

XXXVIII. The arms and accoutrements of the officers and men of the Active Militia shall be such as Her Majesty shall from time to time direct, and no such arms and accoutrements of the men shall be left in their possession except by special authority.

XXXIX. The value of all such articles of public property as may have become deficient or damaged, while in possession of any corps, otherwise than through fair wear and tear or unavoidable accident, may be recovered by the Minister of Militia and Defence or by any other person authorized by him, from the officer in command of such corps; and the officer commanding any corps shall have power to recover the value of such articles of public property as have become deficient, or damaged while in possession of his corps, otherwise than through fair wear and tear or unavoidable accident, from the man or men who may be responsible for the same.

XL. Such of the several corps of Active Militia heretofore organized or hereafter to be organized, as may, for that purpose, be named and specified, shall be supplied with uniform clothing of such one and similar colour, pattern and design, as may be ordered for each arm of the service designated in this Act; and if necessary, such uniform clothing may be replaced in every successive period of five years from the original issue; and the said uniform clothing shall be de-

livered to the officer commanding the corps, to be by him delivered to the non-commissioned officers and privates, on such conditions and upon such security as may be directed: and Her Majesty may, from time to time, make such regulations in respect to uniform clothing, and may prescribe penalties for any infraction of such regulations as may be deemed necessary or expedient; but nothing herein contained shall prevent the resupplying of clothing within the period aforesaid in special cases.

XLI. The several corps of militia shall be furnished with arms and accoutrements, and the same shall be kept in public armories, wherever there are such; and where there are no such public armories, and until the same are provided, the officer commanding each corps shall himself actually keep the arms and accoutrements in a good and sufficient building, provided with suitable arm racks and provision for the care thereof, and shall be personally responsible for such arms and accoutrements; and the officer commanding any such corps may, in the discretion of the Governor in Council, be allowed annually, such sum for the care of such arms and accoutrements as may appear proper for the same; and no arms or accoutrements shall be taken or removed from any such public armoury, or from the care of such commanding officer, except under such regulations as may be made in respect to the same by Her Majesty.

XLII. Any man serving in the Active Militia who may require to leave Canada shall first return to the captain of his company all articles of public clothing, or public property which he may have had in his possession, and shall obtain a written discharge from the commanding officer of his corps; and any militiaman who may leave Canada, with any articles of public clothing or other public property in his possession, shall be guilty of embezzlement, and may be tried for the same at any subsequent time, and a record in the books of his corps of his having so received and not having returned any articles of public clothing or other public property, shall be evidence of possession; and he shall be entitled to quitance by certificate and to see it recorded in the books of his corps on returning such articles.

XLIII. No corps of the Active Militia, and no non-commissioned officer or private shall at any time appear in uniform or armed or accoutred, except when on duty or *bona fide* at parade or drill or at target practice, or at reviews or on field days or inspections, or by order of the commanding officer.

DRILL AND TRAINING.

XLIV. In time of peace there shall be trained and drilled annually, for such periods as are authorized by this Act, and under such regulations as Her Majesty may, from time to time prescribe, the officers of militia mentioned in the three following sections, and forty thousand Active militiamen; and Her Majesty shall from time to time by General Orders, designate the Regimental Division required to furnish the men for purpose of such training and drill; but in any Regimental Division where, in proportion to the number of names inscribed on the militia rolls, as compared with other Regimental Divisions, Volunteers are organized and perform the regulated drills for Volunteers, Her Majesty may dispense with the annual training and drill of such a number of Regular Militia as, with the Volunteers, are in excess of the quota which would otherwise be required in that Regimental Division.

Volunteer Militia.

XLV. Her Majesty may order the officers, non-commissioned officer and privates of the several corps of the Volunteer militia or any portion thereof, to drill for a period not exceeding sixteen days nor less than eight days in each year: and for each day's drill of three hours, every officer, non-commissioned officer and private shall receive fifty cents; and the non-commissioned officers and privates of mounted corps, shall receive for each day's drill of three hours, seventy five cents for each horse that has taken part in such drill.

Regular Militia.

XLVI. Her Majesty may order to assemble, for a period not exceeding sixteen nor less than eight days in each year, all the officers, non-commissioned officers and privates of the Service Companies of the Regular militia required for service, and the officers of the Reserve militia, or any portion thereof, at such times and places as may be thought proper, for drill and exercise: and for each day's drill of three hours every officer, non-commissioned officer and private shall receive fifty cents; and the non-commissioned officers and privates of mounted corps, shall receive for each day's drill of three hours, seventy five cents for each horse that has taken part in such drill.

Marine Militia.

XLVII. Her Majesty may order the officers and men of the Marine militia, or any portion thereof, to be trained and drilled for a period not exceeding sixteen days, nor less than eight days in each year, at such times and places, and in such manner, as may be thought proper: and for each day's drill every officer and man shall receive fifty cents.

XLVIII. Payments for drill, shall be made only upon proof of compliance with such regulations touching such drill, and the efficiency of the several Corps, as Her Majesty may order; and any officer, non-commissioned officer or private, absent from drill, shall forfeit his pay therefor.

XLIX. Her Majesty may from time to time, appoint competent persons to instruct and drill the militia, and may award such remuneration therefor as the Governor in Council may order.

L. Such of the officers and men of any corps of the Active militia as reside within two miles of the place appointed for drill may assemble or be ordered out by the officer commanding it for drill or exercise at other times than when performing the annual drills, under regulations to be approved by Her Majesty, and without receiving any pay therefor.

LI. Her Majesty may, by any General Order dispense with the drill or training of any Corps or part of a Corps of the Active Militia, either in any particular year or until further order, and may, in like manner again direct such drill and training, or either of them, to be resumed if it may seem fit, and any such order shall have the force of law according to the terms thereof, and Her Majesty may also dispense with the formation, or drill and training, of service Companies of the Regular militia in remote portions of Districts.

INSPECTIONS.

LII. The several Corps of the Active Militia shall be subject to such inspections, from time to time, as Her Majesty may direct.

RIFLE RANGES AND DRILL SHEDS.

LIII. At, or as near as may be to the head quarters of every Regimental Division, there