

months notice in writing to the commanding officer of his desire to do so; nor shall he at any time, leave the same contrary to the engagement in any articles of engagement he may have signed.

Officers responsible for strength of corps.

40. The commanding officers of the volunteer field batteries, troops of cavalry and battalions (or portions of battalions) of volunteer garrison artillery, and of volunteer infantry shall be responsible that their corps and battalions respectively are kept up to the full strength as required for each thereof by this Act; and in the event of failure of any corps or battalion as aforesaid, to maintain the complement of men has herein-before prescribed for each respectively, or of any corps or battalion becoming inefficient, the commander-in-chief may disband any such corps so incomplete or inefficient; and the commander-in-chief may disband any corps or battalions if in his opinion necessary to the public good.

When commander-in-chief may disband them.

Permanent staff of military districts of cities.

41. To each military district, as mentioned in the thirty-second clause of this Act, a permanent staff shall be appointed, consisting of one town adjutant and one staff sergeant-major to each battalion.

Duties of town adjutant.

42. The town adjutant shall be under the orders of the colonel of the district within which he shall reside; shall have general superintendence over the armories and stores, and have control over the staff sergeant-majors of battalions; shall make out all returns, certificates, rolls, and other documents, that may be required, shall undertake the official correspondence relating both to the sedentary and active militia of the district, and shall carry out the instructions of the colonel of the district with respect to the drill and instruction of the officers, non-commissioned officers, and men of the volunteer and regular force at all times of the year; shall act as pay master of all the corps and battalion in the district, and shall perform such other services as may be from time to time ordered by the commander-in-chief.

Duties of staff sergeant-major.

43. The staff sergeant-major, under the control of the adjutant, shall have the immediate charge of the arms, accoutrements, knapsacks, and other stores of his battalion and of the field batteries or troops attached to it, and shall be employed in drilling and instructing the officers, non-commissioned officers, and men of his corps, and shall act as clerk to the adjutant, and perform such other services as may be ordered by the colonel of the district.

Length of period of appointment of permanent staff, and re-appointment.

44. The officers and non-commissioned officers of the permanent staff, mentioned in the two next preceding clauses, shall be appointed by the commander-in-chief for five years only, at the termination of which period they will be eligible for re-appointment to another military district, or to a battalion of regular militia in another district; and the commander-in-chief may remove at pleasure any officer or non-commissioned officer of such staff, and cancel the commission or appointment thereof respectively.

Volunteer corps in existence now, may continue, and commander-in-chief may authorize similar corps on similar conditions.

45. The several volunteer field batteries, companies of rifles and foot artillery, and troops of cavalry, duly organized and in existence at the time of the passing of this Act, may continue as such respectively, and similar corps may from time to time be authorized by the commander-in-chief; and all the provisions of this Act applicable to the volunteer force shall apply to them respectively, except in so far as that such only shall receive pay and allowance for clothing as may be appointed under the thirty-third section of this Act as the volunteer force of any of the military districts therein mentioned.

Volunteer company of engineers.

46. In each militia district there may be formed a volunteer company of engineers, to consist of a captain, a lieutenant, a second lieutenant, and such number of men, not exceeding seventy-five, as the governor may direct.

Volunteer may be called out in aid of civil power, and their duty in such cases.

47. The corps composing the volunteer militia shall be liable to be called out in aid of the civil power in case of riot or other emergency requiring such services, and whether such riot or emergency shall occur within or without the municipality in which such corps may be raised or organized, and it shall be the duty of the officer commanding any such corps to call out the same or such portion thereof, as is necessary for the purpose of quelling any riot, when thereunto required in writing by the mayor, warden, or other head of the municipality in which such riot takes place, or by any two magistrates therein, and to obey such instructions as may be lawfully given him by any magistrate in regard to the mode of quelling such riot; and every officer, non-commissioned officer, and men of such corps or portion of a corps shall, on every such occasion, obey the orders of his commanding officer; and the officers and men, when so called out, shall, without any further or other appointment, and without taking any oath of office, be special constables, and shall act as such so long as they remain so called out.

And when so called to act as special constables.

Establishment of field batteries, troops of cavalry, and battalions of garrison artillery and infantry of regular force.

No. 2.—THE REGULAR FORCE.

48. Each field battery, troop of cavalry, and battalion of garrison artillery and infantry of the regular force, shall respectively be of such establishment and strength as is herein-before prescribed in reference to the volunteer militia.

How regular force is to be raised.

49. The regular force shall be raised either by "voluntary enlistment," by "selection," by "ballot," or by a combination of voluntary enlistment and the ballot.

Method of raising regular force.

50. The following method shall be adopted in raising the regular force:—The captain of each sedentary company having assembled all the men between the ages of eighteen and forty-five, belonging to his company division, will call upon them to give the number required voluntarily; but if volunteers do not come forward in sufficient numbers, he will inform the men that it is his duty to fill up the number by ballot, unless a majority of two thirds prefers that he select men for the regular force from amongst them, in which case it will become his duty to make his selection in such a manner as to make the pressure bear upon the families who are best able to support it, and if there is not a majority of two thirds of the men in favour of the selection by the captain, he shall at once proceed with the ballot.

If ballot adopted, who to be first taken. Substitutes may be provided, or an exemption fine paid.

51. In the event of the ballot being adopted, the regular force shall be taken, in the first place, from amongst the unmarried men and widowers without children.

52. Every man, taken by ballot or selection for the regular force, may provide a substitute, subject to the approval of the commanding officer of the corps or battalion, or may pay the sum of thirty dollars for exemption from service for three years, which sum shall be paid to the town or staff adjutant, and