

An ACT to extend the Provisions of an Act passed in the forty-eighth year of his Majesty's reign, intituled, "An Act to Explain, Amend and Reduce to one Act of Parliament the several Laws now in being for the Raising and Training the Militia of this Province."

[Passed 6th March, 1812.]

WHEREAS an Act passed in the forty-eighth year of his present Majesty's reign, intituled, "An Act to explain, amend and reduce to one Act of Parliament the several Laws now in being, for the raising and training the Militia of this Province," is found insufficient for the purposes thereby intended; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's Reign, intituled, "An Act for making more effectual provision for the government of the Province of Quebec, in North America, and to make further provision for the government of the said Province," and by the authority of the same, That there shall be to every Battalion of Militia now or hereafter in this Province, (the strength of which will admit thereof) two flank Companies, to consist of not more than one hundred men each, nor in any case to compose more than one third of the strength of such Battalion, and also all Independent Companies belonging to any County, Riding or Place, shall provide their quota, to compose one or more flank Company or Companies, but in no case to exceed one third of such Independent Company or Companies, to be selected and formed from among such Militia men, as shall at any meeting or meetings of any such Battalion or Independent Companies, volunteer for that purpose. And if it should so happen that a sufficient number of persons shall not at any such meeting or meetings, volunteer for the purpose aforesaid, then and in such case the deficiency shall be made up by ballot from the Militia men of such Battalion, or Independent Company or Companies, who shall be under the age of forty years.

II. *Provided always nevertheless,* That when it shall happen that two or more persons shall be called upon service from one family, that one of them shall be excused for that time, unless it shall appear to the Officer Commanding such Company of Militia, that there is another person living in the same house, capable of taking care of the said family, who is not then called into actual service; and also that when a widow or aged person, shall at the time of making the said ballot, depend for her, or his maintenance on a Son, Grandson or Apprentice, such Son, Grandson, or Apprentice, shall be excused from service, while supporting such widow or aged person.

III. *And be it further enacted by the authority aforesaid,* That when any such flank Company shall be formed, it shall and may be lawful for the Captain or Officer Commanding the same, to call out such Company, and he is hereby required so to do, six days in each Month, for the purpose of being trained and exercised, as may be directed by the Governor, Lieutenant Governor, or Person administering the Government, and such Company shall continue its training not exceeding the said six days in every month, until it is found that the men composing the same, are duly instructed in their exercise. *Provided always,* that the Officer Commanding such Company, shall always after the said Company shall be pronounced duly instructed, have it in his power to call out such Company one day in each month to be exercised and reviewed, and oftener if he shall be so directed by the Governor, Lieutenant Governor, or person administering the Government. *Provided also,* that such flank Company or Companies being called out for the purpose of training, it shall not be lawful for any Field Officer, except such as may be specially appointed for that purpose, by the Governor, Lieutenant Governor, or Person administering the Government, to command, or otherwise interfere in the said training or exercising.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to, and for the Governor, Lieutenant Governor, or Person administering the Government, from time to time, as occasion may require, to appoint such and so many Staff Officers to the Militia of this Province, as he may think necessary, and also from time to time to remove any Militia Officer, now or hereafter to be appointed, and appoint another in his stead.

V. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the Governor, Lieutenant Governor, or Person administering the Government, as often as occasion shall require, to order any and every of the said Companies, to march to any part of this Province, upon any such duty as he shall think necessary.

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