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BILL.

An Act to amend the Militia Law of 1863,  
with respect to drafting.

[No. 53 of 1865—1st Session.]

Mr. GAIGNON.

OTTAWA:

PRINTED BY HUNTER, ROSE & CO., SALIX ST.

**An Act to amend the Laws respecting the Militia.**

**W**HEREAS it is expedient to amend the Act respecting the Militia, 27 Victoria, chapter 2, and to provide for the protection of widows; who in the event of the strict enforcement of the provisions of the said Act, relating to the enrolment of the Service Militia, might be exposed to extreme hardship by being utterly deprived of their only source of protection and support; Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

**1.** The third section of the Act respecting the Militia, twenty-seven Victoria, chapter two, is amended by the addition of the following proviso:

Proviso added to third section of Militia Act.

“But the only sons of widows, and on whom alone their mothers are dependent for support, who would otherwise be enrolled among the First-class Service Men, shall be enrolled as Second-class Service Men only, during the lifetime or widowhood of their mothers.”

**2.** And whereas it is expedient further to amend the said Act in respect of the system of balloting for Service Men, the twenty-fifth section of the said Act is hereby repealed, and the following shall be substituted therefor and read in lieu thereof:

Twenty-fifth section of the said Act repealed.

**26.** The Sheriff, County Judge and Warden of the said County in Upper Canada, and the Registrar, Warden and Officer or Officers, or Militia designated as aforesaid, in Lower Canada, shall then proceed to prepare for each township, parish, city, town or incorporated village mentioned in the order of the Commander-in-Chief requiring the organization of a battalion or relief, a separate list or service roll, inserting in each such list the names of such persons as may appear by the service rolls for the county to be resident in such township, parish, city, town or incorporated village, and such lists being certified under their hands, they shall then transmit the list prepared for each such local municipality to the mayor or chief officer thereof, at least ten days before the day fixed for the drawing of the ballot, informing him at the same time of the number of men resident in his municipality who are required to serve, such number being calculated in the ratio the number of number of names inscribed in the list for such township, parish, city, town or incorporated village bears to the number on the service roll of the county.”

New section substituted.

Service rolls for each parish.

**3.** It shall be the duty of the mayor, on receipt of such list and notification, at once to give public notice, in the manner required for public notices in municipal matters, that on the day appointed by the Commander-in-Chief and at a certain place to be designated in such notice, the drawing of the number of persons required from the

Mayor to give notice of time and place for drawing.

municipality to aid in the formation of the battalion or relief will be proceeded with in the presence of himself, the senior Councillor of the municipality, and the senior Officer of Militia in the municipality, and calling on all those resident therein who are liable to service to be present for the purpose of the ballot which will then be drawn. 5

**Numbers for drawing to be prepared.** 4. He shall then write distinctly on separate pieces of paper a series of numbers in regular numerical succession, beginning with number one, equal in number to the number of names inscribed on the list transmitted to him by the Registrar, and the papers containing such numbers being carefully folded so that the numbers upon them shall be concealed, he shall place them in a box or urn to be by him provided for that purpose, which shall then be shaken so as sufficiently to mix the numbers. 10

**Mayor, &c., to superintend the drawing.** 5. On the day appointed by the notice and at the place designated therein, the Mayor with the senior Municipal Councillor, and the senior Officer of Militia resident in the municipality, having in their custody the box or urn containing the numbers as aforesaid, shall superintend the public drawing of the numbers. 15

**Proceeding.** 6. The persons whose names are inscribed on the list being present, the Mayor shall announce the number of persons required to serve, and shall call over the names inscribed on the list as liable to serve, and he shall then cause each such person being present to draw one number from the box in the order in which his name shall appear on the list. 20

**Announcement of numbers.** 7. So soon as each person shall have drawn, his number shall be announced in a loud voice, and shall at once be set down opposite to his name on the list. 25

**Who shall be held to be drawn for service.** 8. The Mayor shall make a separate list of those persons who shall draw numbers which shall be within the number of men required for service from such municipality, and he shall specify opposite to the name of each person his place of abode. 30

**Absentees.** 9. So soon as all those present shall have drawn their numbers, the Mayor shall proceed, in case the number required shall not have been made up, publicly to draw numbers for those whose names are inscribed on the Service List but who shall not be present at the drawing, and shall continue to draw on behalf of such absentees until the required number is made up. 35

**Transmission of service list.** 10. So soon as all the numbers within and up to the number of men required to serve shall have been drawn, and the names and places of abode of the persons who have drawn the same have been inscribed as aforesaid by the Mayor on a separate list, such list having been first certified under the hands of the Mayor, Municipal Councillor and Officer of Militia present at such meeting, shall be read over to those present, and shall then be transmitted by the Mayor to the Sheriff or Registrar, as the case may be, who shall thereupon, on the Service Roll or Reserve Roll of the County, as the case may be, insert the letter B opposite the name of each person contained in such lists. 45

