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MILITARY ESTABLISHMENTS, NORTH
AMERICA.

R E T U R N

To an Address of the HOUSE OF LORDS, dated 27th May 1856,

FOR

COPIES OF EXTRACTS of any DESPATCHES from the SECRETARY of STATE for the COLONIES to the GOVERNOR-GENERAL of CANADA, or the LIEUTENANT-GOVERNORS of NOVA SCOTIA, NEW BRUNSWICK, and PRINCE EDWARD ISLAND, on the MILITARY ESTABLISHMENT to be maintained in those Colonies, of a later Date than the Despatch of Earl Grey to the Earl of Elgin of the 14th March 1851; and the Copy of the Report of the Commissioners appointed by Letters Patent under the Great Seal of the Province of Canada, dated 27th October 1854, to investigate and report upon the best means of reorganizing the Militia of Canada, and providing an efficient and economical System of public Defence, and to report upon an improved System of Police for the Preservation of the public Peace; and a Copy of any Act or Acts passed by the Parliament of Canada in pursuance of this Recommendation.

Ordered to be printed 24th July 1856.

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RETURN

To an Address of the HOUSE OF LORDS, dated 27th May 1856,

FOR

COPIES OR EXTRACTS of any DESPATCHES from the SECRETARY of STATE for the COLONIES to the GOVERNOR-GENERAL of CANADA, or the LIEUTENANT-GOVERNORS of NOVA SCOTIA, NEW BRUNSWICK, and PRINCE EDWARD ISLAND, on the MILITARY ESTABLISHMENT to be maintained in those Colonies, of a later Date than the Despatch of Earl Grey to the Earl of Elgin of the 14th March 1851; and the Copy of the Report of the Commissioners appointed by Letters Patent under the Great Seal of the Province of Canada, dated 27th October 1854, to investigate and report upon the best means of reorganizing the Militia of Canada, and providing an efficient and economical System of public Defence; and to report upon an improved System of Police for the Preservation of the public Peace; and a Copy of any Act or Acts passed by the Parliament of Canada in pursuance of this Recommendation.

Ordered to be printed 24th July 1856.

SCHEDULE.

DESPATCHES TO THE GOVERNOR-GENERAL OF CANADA.

CANADA.

Number in Series.	From whom.	Date and Number.	SUBJECT.	Page.
1	Right Hon. Sir J. Pakington to the Earl of Elgin.	1852 25 Aug. (No. 11.)	MILITARY OUTPOSTS—to furnish Report on the subject of the Maintenance of	7
2	His Grace the Duke of Newcastle to the Earl of Elgin.	1853 31 March (No. 5.)	PROPOSED REDUCTION OF THE MILITARY FORCE EXPEDIENCY OF REORGANIZING THE MILITIA. Deficiency of Barrack accommodation at Montreal	7
3	His Grace the Duke of Newcastle to the Officer administering the Government.	21 Dec. (No. 3.)	71st Foot will be relieved by the 67th. THE NEXT REGIMENT TO COME HOME WILL NOT BE RELIEVED.	9
4	Right Hon. Sir G. Grey, Bart., to the Earl of Elgin and Kincardine.	1854 11 Aug. (No. 17.)	WAR WITH RUSSIA RENDERS NECESSARY A REDUCTION OF THE MILITARY ESTABLISHMENTS IN THE COLONIES Measures for withdrawal of Troops from Canada.	9
5	His Grace the Duke of Newcastle to Lt.-Gen. Rowan.	11 Aug.	REDUCTION OF MILITARY FORCE—withdrawal of three Regiments and three Companies of Artillery	10
6	Right Hon. Sir G. Grey, Bart., to the Earl of Elgin.	18 Aug. (No. 18.)	Strength of the Regiment to remain in Canada to be increased to 850 Rank and File	10
7	His Grace the Duke of Newcastle to Lt.-Gen. Rowan.	18 Aug.	RE-DISTRIBUTION OF TROOPS—rendered necessary by the reductions in the Military Force	10
8	Right Hon. Sir G. Grey, Bart., to Governor Sir Edmund Head.	1855 13 April (No. 16.)	MILITARY DEFENCE OF THE PROVINCE—arrangements proposed for	11
9	Right Hon. H. Labouchere to Governor Sir Edmund Head.	1856 2 May (No. 79.)	DISTRIBUTION OF THE ARMY—Five Regiments ordered to British North America—Three to be stationed in Canada	13

DESPATCHES TO THE LIEUTENANT-GOVERNOR OF NOVA SCOTIA.

NOVA SCOTIA.

10	His Grace the Duke of Newcastle to Lieut. Gov. Sir J. G. LeMarchant.	1854 19 April (No. 2.)	ACKNOWLEDGING ADDRESSES TO THE QUEEN FROM THE COUNCIL AND ASSEMBLY relative to the DEFENCE OF THE PROVINCE SHOULD IT BE NECESSARY TO WITHDRAW THE TROOPS. Proposed organization of a Militia Force.	13
11	His Grace the Duke of Newcastle to Lt.-Gen. Gore.	11 Aug.	WITHDRAWAL OF ONE REGIMENT AND ONE COMPANY OF ARTILLERY. Detachments to be also sent to New Brunswick	14

SCHEDULE.

NOVA SCOTIA.

Number in Series.	From whom.	Date and Number.	SUBJECT.	Page.
12	His Grace the Duke of Newcastle to Lt.-Gen. Gore.	1854 18 Aug.	RE-DISTRIBUTION OF THE TROOPS—consequent on the above reduction	14
13	Right Hon. Sir G. Grey, Bart., to Lt.-Governor Sir J.G. LeMarchant.	18 Aug. (No. 1.)	WITHDRAWAL OF THE TROOPS. Instructions have been given to the Lieut-General Commanding. Copy of Despatch to Governor General of Canada (No. 4 of Series) enclosed for information	15

PRINCE
EDWARD'S
ISLAND.CORRESPONDENCE WITH THE LIEUTENANT-GOVERNOR OF PRINCE
EDWARD'S ISLAND.

14	Right Hon. Sir J. S. Pakington to Lt.-Governor Sir A. Bannerman.	1852 2 July (No. 1.)	ENROLMENT OF VOLUNTEERS. Necessary arms and accoutrements will be lent to the Colony. Necessity for the withdrawal of all the regular Troops at an early period, and when convenient arrangements can be made	15
15	His Grace the Duke of Newcastle to Lt.-Governor Sir A. Bannerman.	1853 29 Jan. (No. 1.)	Referring to preceding despatch, and requesting reply as therein asked for	16
16	His Grace the Duke of Newcastle to Lt.-Governor Sir A. Bannerman.	22 April (No. 2.)	ADDRESSES TO THE QUEEN FROM LEGISLATIVE BODIES, PRAYING THAT THE TROOPS MAY NOT BE WITHDRAWN Grounds on which the prayer of the address cannot be complied with. Troops will be withdrawn before the ensuing winter season.	16
17	Do. do.	1 Dec.	PETITION FROM INHABITANTS OF QUEEN'S COUNTY TO HER MAJESTY on same subject, referring in answer to preceding despatch	17
18	His Grace the Duke of Newcastle to Lt.-Gov. Daly.	1854 12 June (No. 1.)	WITHDRAWAL OF TROOPS CANNOT BE POSTPONED on account of the REJECTION OF POLICE BILL BY LEGISLATIVE COUNCIL	18
19	Right Hon. Sir G. Grey, Bart., to Lt.-Gov. Daly.	18 Aug. (No. 1.)	IMMEDIATE STEPS TO BE TAKEN FOR CARRYING OUT ARRANGEMENTS. Despatch to Governor-General of Canada (No. 4 in Series) enclosed for information	18
20	Do. do.	7 Nov. (No. 2.)	JOINT ADDRESS TO THE QUEEN FROM LEGISLATIVE BODIES IN REFERENCE TO THE LATE WITHDRAWAL OF THE TROOPS Her Majesty's Government will give every consideration to the special circumstances set forth	19
21	Do. do.	17 Nov. (No. 22.)	ALTERATIONS IN THE GARRISON IN NEWFOUNDLAND; proposal that a company of 50 men with 2 officers should be formed for service in Prince Edward's Island	19
22	Do. do.	1855 18 Jan. (No. 33.)	In continuation of same subject. Correspondence with War Department enclosed, and report required in reference to the proposals for the defence of the Island	19

SCHEDULE.

5

**PRINCE
EDWARD'S
ISLAND.**

Number in Series.	From whom.	Date and Number.	SUBJECT.	Page.
23	Right Hon. Sir G. Grey, Bart., to Lt.-Gov. Daly.	1855 10 March (No. 5.)	ENROLMENT OF A VOLUNTEER RIFLE CORPS. MEMORIAL TO HER MAJESTY FROM CERTAIN GENTLEMEN—Course pursued by Governor in reference to - -	22
24	Do. do.	22 March (No. 9.)	PERMANENT ENROLMENT OF A RIFLE CORPS—Minute of Council suggesting Instructions issued to Board of Ordnance. -	22

DESPATCH TO LIEUTENANT-GOVERNOR OF NEW BRUNSWICK.

**NEW
BRUNSWICK.**

25	Right Hon. Sir G. Grey, Bart., to Lieut.-Governor Sir Edmund Head.	1854 18 Aug. (No. 5.)	WITHDRAWAL OF TROOPS FROM CANADA AND NOVA SCOTIA. Copy of despatch to Governor-General of Canada on the subject (No. 4 of Series) enclosed - -	23
26	Report of the Commissioners appointed to investigate and report upon the best means of reorganizing the Militia of Canada, and providing an efficient and economical system of Public Defence, and to report upon an improved system of Police for the better preservation of the Public Peace - - -			23
27	An Act to regulate the Militia of this Province, and to repeal the Acts now in force for that purpose - - -			41

RETURN, &c.

CORRESPONDENCE WITH THE GOVERNOR-GENERAL OF CANADA.

CANADA
No. 1.

Copy of DESPATCH from the Right Hon. Sir JOHN S. PAKINGTON to the Earl of ELGIN AND KINCARDINE.

No. 11.

MY LORD,

Downing Street, 25th August 1852.

THE attention of Her Majesty's Government has been called to the expense which is entailed upon this country by the maintenance of numerous military outposts in some of the British colonies. It has been represented to us that these posts are in many instances created on the application of governors of colonies; and that, although it sometimes occurs in such cases that the colony bears the first expense attending the formation of a military post, it does not continue to defray the subsequently recurring annual expense of establishments, transport, &c., which thenceforth becomes a charge on Her Majesty's Government.

As there can be no doubt that, in proportion as the troops are concentrated in the colonies, the expense entailed upon the Imperial Government for their maintenance is diminished, it is important to consider whether any change of circumstances which may have taken place since the military outposts within your government were first established, such, for instance, as the absence of any immediate necessity for active military operations on detached points, improved means of communication, or other causes, may not have rendered it unnecessary to continue arrangements, for which there may have been sufficient grounds at the time when they were first adopted.

In order, therefore, to enable Her Majesty's Government to decide to what extent it is necessary to maintain the military outposts which at present exist, and to lay down any regulations which it may be considered expedient to adopt with regard to the formation of such posts in future, I have to instruct you to report to me what is the number of military outposts which are at present maintained within your government, and what are the causes which may have led to their formation. You will, at the same time, place yourself in communication with the officer commanding Her Majesty's troops with a view to ascertain to what extent it may be possible or expedient, having regard to the efficient military protection of the province under your government, to effect a reduction in the number of those posts, so as to concentrate the troops as much as possible; and your Lordship will then transmit to me a report upon the subject.

I have, &c.

(Signed) JOHN S. PAKINGTON.

No. 2.

No. 2.

Copy of DESPATCH from his Grace the Duke of NEWCASTLE to the Earl of ELGIN AND KINCARDINE.

No. 5.

MY LORD,

Downing Street, 31st March 1853.

I HAVE to acquaint your Lordship that, under the relief arrangements which are now in progress, the 20th regiment of foot will be replaced by the service companies of the 26th foot from Gibraltar, and that it is proposed to bring home the reserve battalion of the 23d foot, without replacing it.

CANADA.

In that manner, 1,000 men will be withdrawn from Canada.
The garrisons of the province will then consist of—

Royal Artillery	-	600
26th Foot	-	540
54th „	-	540
66th „	-	540
71st reserve	-	540
Canadian Rangers	-	600
		<hr/>
		3,960

Presenting, with the enrolled pensioners (750), a force of 4,110 bayonets.

But the facilities of steam communication have generally diminished the necessity for a military force, as a mere precautionary defence against a remote danger; and it must be borne in mind that, if the security of Canada should ever be threatened, troops could be forwarded for its assistance with the utmost speed.

Her Majesty's Government are, therefore, of opinion that the amount of force to which I have adverted, is larger than the prosperous and tranquil state of Canada demands. It certainly exceeds the limits of what may be conveniently spared for general exigency at this period. I am accordingly desirous that your Lordship should invite the provincial Government to co-operate with us by making arrangements for facilitating the withdrawal of at least 400 artillery, and of the service companies of another regiment.

Her Majesty's Government consider that, for all substantial purposes, it might be sufficient to appoint the service companies of three regiments to hold Quebec, Montreal, and Kingston, and that the Canadian Rangers and enrolled pensioners might usefully occupy such outposts as, for various reasons, it may be deemed inconvenient to abandon.

This last point is one which more particularly interests the provincial Government. We object to incur a heavy expenditure, as at present, for maintaining the occupation of the numerous petty outposts which are held by the regular troops; and we are of opinion that the charge of occupying any place for purposes unconnected with the defence of main fortresses, and the preservation of important works, should be defrayed by the provincial Government.

The effect of the measures which I have thus briefly indicated to your Lordship will be only to reduce the garrisons of Canada to the establishments of 1792 and 1822.

I shall be glad of any suggestions or advice which your Lordship, after consultation with the provincial Government, and with the Lieutenant-General commanding the troops, may be prepared to tender to me upon this subject.

But it occurs to me that your Lordship may deem this a fitting occasion for moving the provincial Government to consider the expediency of re-organizing the militia upon a basis of efficiency. The advice and co-operation of Her Majesty's Government towards that object would be readily afforded.

Before I conclude this despatch, I wish to call your Lordship's attention to a deficiency of barrack accommodation, which is reported to me to exist at Montreal. This deficiency seems to arise from the destruction by fire of a building which served for officers' quarters. But, if my suggestion for limiting the garrison of that city to the service companies of a regiment, be carried out, it may possibly be found that the deficiency may be supplied by rendering available for the accommodation of the officers that portion of the soldiers' barracks which would not be wanted for troops.

	R. & F.
1792 Arty.	- 268
Infy.	- 2,800
	<hr/>
	3,068
	<hr/>
1822 Arty.	- 277
Infy.	- 2,800
	<hr/>
	3,077
	<hr/>
1853 Arty.	- 600
26 Foot	- 540
54 „	540
66 „	540
71 „	540
C.R. „	600
Pensioners	750
	<hr/>
	4,110
	<hr/>
Deduct.	
Arty.	400
Infy.	540
	<hr/>
	940
	<hr/>
	3,170
	<hr/>

I have, &c.
(Signed) NEWCASTLE.

No. 3.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE to the Officer Administering the Government.

No. 3.

SIR,

Downing Street, 21st December 1853.

It had been the intention of Her Majesty's Government not to relieve the 71st Foot, which is appointed to come home.

Although, however, I have consented that it shall now be relieved by the 67th Foot, I request that it may be understood that such one of the regiments now serving in Canada, whose time it may be to come home in the ensuing year, or in the course of the ensuing fifteen months, will not be relieved.

I am, &c.

(Signed) NEWCASTLE.

No. 4.

No. 4.

COPY of DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to the Earl of ELGIN AND KINCARDINE.

(No. 17.)

MY LORD,

Downing Street, 11th August 1854.

THE war in which, in conjunction with our Allies, England is engaged with Russia, has led the people of this country, as your Lordship is aware, to make extraordinary exertions in order to supply Her Majesty with the means of prosecuting it with vigour and efficiency.

A large British force has been landed in Turkey, and is engaged in important military operations in the East.

It has been raised by the additions readily voted by Parliament to the ordinary strength of the army, and partly by the withdrawal of troops from their usual stations in different parts of the United Kingdom, their place, when necessary, having been supplied by regiments of militia, embodied for that purpose.

Reinforcements, however, continue to be required, and, desirous of meeting these demands, Her Majesty's Government have turned their attention to the practicability of bringing home some of the regiments which are on service in the North American and other colonial possessions of the Crown. Fortunately, the character of the war renders this resource available without risk to the security of the colonies against external aggression. Her Majesty's Government fully recognize the duty and responsibility of affording to them protection against any such aggression, and the strength of the empire would be put forth in defence of any part of it which might be placed in jeopardy from such a cause. But the blockade of the great maritime outlets at the opposite extremities of Russia has intercepted her fleets, and disabled her from injuring the foreign possessions of the Crown, while the friendly relations subsisting between Her Majesty and all other foreign powers forbid the apprehension of attack from any other quarter.

Her Majesty's Government, therefore, think it expedient that that portion of the army which is now in the colonies should contribute its quota to the forces actively employed in the present war.

I am informed by the Duke of Newcastle that he personally consulted with your Lordship during your recent residence in England on the proposed withdrawal of a portion of the troops from Canada, and that he had the benefit of your views respecting it.

It is his Grace's intention to send orders to General Rowan for the return to England of three regiments of infantry and three companies of artillery. Upon their withdrawal, the regular force in Canada will consist of the Royal Rifle regiment, one regiment of infantry, to be maintained at a strength of 850 men, and two companies of artillery, and will be distributed between the two fortified positions of most importance, namely, Kingston and Quebec, the Rifles being stationed at the former place.

(289.)

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CANADA.

This arrangement, as you will remember, is in accordance with the general intention expressed by Lord Grey in his despatch to your Lordship of the 14th March 1851, and there appears to be nothing in the present condition of affairs to require the continuance of a more extended military occupation.

Her Majesty feels that the internal tranquillity of the province may be safely confided to Her Canadian subjects. Their addresses to the Throne on the occasion of this war have expressed the most gratifying assurances of loyalty and attachment, and I entertain no doubt that they will cheerfully acquiesce, as far as they are concerned, in those measures which are thought requisite by Her Majesty's Government for the common interests of the empire and for the attainment of a safe and honourable peace.

I have, &c.
(Signed) G. GREY.

No. 5.

No 5. COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Lieutenant-General ROWAN, commanding the Troops.

SIR,

Downing Street, 11th August 1854.

I HAVE to acquaint you that Her Majesty's Government have determined upon the withdrawal from Canada of three regiments of infantry and three companies of artillery. The three regiments affected by this movement will be the 54th, 66th, and 71st. I have also to inform you that one regiment of infantry and one company of artillery will be withdrawn from the Nova Scotia command.

I shall communicate with you by the next mail regarding the fresh distribution of the troops under your command, which will be rendered necessary by the foregoing scheme of reduction.

I have, &c.
(Signed) NEWCASTLE.

No. 6.

No. 6. COPY of DESPATCH from the Right Honourable Sir George GREY, Bart., to the Earl of ELGIN.

(No. 18.)

My LORD,

Downing Street, 18th August 1854.

Page 9. WITH reference to my despatch No. 17, of the 11th instant, I have to acquaint your Lordship that it is intended that the strength of the regiment which will remain in Canada after the withdrawal of the other three, should be increased to 850 rank and file.

I have, &c.
(Signed) G. GREY.

No. 7.

No. 7.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Lieutenant-General ROWAN, commanding the Troops.

SIR,

Downing Street, 18th August 1854.

IN my despatch dated 11th instant, announcing to you the proposed withdrawal of three regiments of infantry and three companies of royal artillery from Canada, I promised to communicate with you by the present mail respecting the re-distribution of the troops under your command, rendered necessary by this measure.

I now proceed to instruct you that the single regiment of infantry, which will be increased to 850 rank and file, and the two companies of royal artillery, which (exclusive of the Canadian Rifles), will comprise the whole force

remaining in Canada after these reductions shall have been carried into effect, will have to be quartered in Quebec.

The Canadian Rifles you will station at Kingston, and two companies of that corps should be detached for service at Montreal.

This distribution of the forces under your command involves the abandonment of the several outposts which have been heretofore maintained within the province, and you will lose no time in making the necessary preparations for this purpose.

A discretion will, however, rest with you to leave small parties at such of the outposts, Niagara for instance, as you may perhaps think right to maintain until the new arrangement be completed, and detach non-commissioned officers and soldiers in charge of Government buildings and barracks, until these shall be given up to the colonial government, or otherwise disposed of.

You are aware that the 16th Regiment, at present in Jamaica, is to proceed to Quebec to replace the 26th Regiment, which has been ordered to Bermuda.

I have, &c.

(Signed) NEWCASTLE.

(Copy.)

No. 8.

No. 8.

COPY of DESPATCH from the Right Honourable SIR G. GREY to Governor Sir EDMUND HEAD.

(No. 16.)

SIR,

Downing Street, 13th April 1855.

HER Majesty's Government have long had under their consideration the necessity of establishing a clear understanding with the Government of Canada, on the subject of the measures mutually to be taken for the military defence of the province, and the subsidiary arrangements requisite to that end.

2. Although Canada is happily remote from the direct influence of those hostilities in which this country is at present engaged, it becomes now even more necessary than before, that the available military resources of the Empire in general, and the purposes to which they are applicable, should be fully ascertained.

3. Relying on the loyalty and patriotism of the inhabitants of Canada, no less than on their rapid advance in all that constitutes the strength of a community, Her Majesty's Government have not scrupled to reduce the military force stationed in the colony in time of peace, much below the amount which in former times had been thought advisable; and the result of the measures thus taken has hitherto fully justified their experience. The course of events of recent years has more and more fully developed the attachment of the Canadian people to the institutions under which they live; the gratifying proofs which have been so lately acknowledged by me, of the deep interest which they take in the success of the arms of Great Britain and her allies in the present contest, have been strongly felt by all classes throughout these kingdoms; and it is with a feeling of deep satisfaction that we are enabled to congratulate ourselves on the union thus cemented between communities so far severed by local position, but joined by the ties of common freedom, and of loyal attachment to one Sovereign.

4. Her Majesty's Government propose to make no change in the principle of the relations now subsisting between this country and the province, as regards its military defence. The Imperial Government will remain charged, as before, with the supply and maintenance of military force, for the defence of Canada, as of every other part of Her Majesty's dominions, in the event of its being menaced by foreign arms. They propose also to continue to maintain the force now existing in Canada, or whatever force may be strictly required for the military occupation of the few posts of first-class importance, so as to form a nucleus for the defence of the province.

5. For all beyond this, they propose to rely on the loyalty and military spirit of the province itself. They are fully aware that if the contingency, now happily remote, should ever occur, of an invasion of Canada by foreign arms, the most valuable aid to the reinforcements of troops which could be supplied from this country, would be afforded by the courage and numbers of an organized militia,

CANADA.

such as her great population might now enable her to supply. And they are equally persuaded that if the tranquillity of the community should be menaced from within, the necessary force for the maintenance of order, both civil and military, if the latter should be required, will be best provided for by the province herself.

6. With respect to the lands now held by the British Government for military purposes, much correspondence has at different times taken place between this department and the colonial Government; and I was in hopes to have received, before this time, a report from the province, which Lord Elgin was requested to furnish, classifying these lands in such a manner as might enable Her Majesty's Government to arrive at some positive decision as to their ultimate disposal. Although this report has not yet been received, I have within the last few days been placed in possession of a printed "Report of the Commissioners appointed to investigate and report upon the best means of re-organizing the militia of Canada," which goes far towards supplying the deficiency. Having consulted the home authorities in more immediate charge of these lands, I believe that the information in the possession of Her Majesty's Government is already nearly sufficient to settle the details of the plan, when an agreement has been established as to its outlines.

7. These Ordnance lands are by no means all of them Crown reserves; but, as I find noticed in the documents before me, many of them have been purchased at considerable cost to the Imperial treasury.

8. It is not, however, the intention of Her Majesty's Government to make any distinction between reserves and purchased lands; they wish to deal with the entire property solely with a view to the permanent interests of the province.

9. With this view it appears to them that the Ordnance lands at Quebec, Montreal, and Kingston should be retained for purposes of defence, in the hands of the imperial Government. There may, perhaps, be portions of these lands not required for present or future military use, in which case these may be the subject of future arrangement; but of this I cannot, with the information as yet before me, speak with certainty.

10. There is a second class of lands, not situated at these posts, and which will not be permanently occupied by Her Majesty's troops, but which in the opinion of military judges will be of importance for the defence of the province, in case of invasion. On some of them considerable sums have been expended with this view. Lands of this class it is proposed to make over to the Canadian Government for occupation and present use, but with a stipulation that they shall be kept available for military purposes, together with any buildings really requisite for similar purposes, in case they should be required at any future time for the defence of Canada.

11. There is lastly a third class, comprising lands which it is not important to retain for military purposes. These it is proposed to make over at once and unconditionally to the Canadian Government.

12. Should your Government think proper to devote the funds which may arise from their sale or other use to internal defences, as proposed in the Report to which I have referred, Her Majesty's Government would regard such an appropriation of these funds with much satisfaction, but they do not wish to impose it as a condition of the transfer.

13. I have already said that Her Majesty's Government are now in possession of materials which may go a long way towards enabling them to effect this classification; but it would be more satisfactory if they had your assistance in such a manner as you may yourself, with the advice of your Executive Council, suggest towards the settlement of the details.

14. Whenever final instructions on this subject are conveyed, pending questions touching the disposal of military stores may also be arranged.

15. It is necessary to add that any surrender of these lands by Her Majesty's Government must of course be subject to existing engagements respecting them, such as those entered into, in some few instances, with pensioners for their location.

I have, &c.
(Signed) G. GREY.

COPY of DESPATCH from the Right Hon. H. LABOUCHERE, M.P., to
Governor Sir EDMUND HEAD.

(No. 79.)

SIR,

Downing Street, 2nd May 1856.

You are aware that the Treaty of Peace provides for the prompt evacuation by Her Majesty's forces of the foreign territories at present held by them, and that among other arrangements for the distribution of the army on its return from active service, orders have been given that five regiments shall be selected to be stationed in British North America, of which three are allotted to Canada.

2. Such an amount of force is not of a character to afford much room for misconception as to the purpose of Her Majesty's Government; but still I think it better to address to you a few remarks in explanation of that purpose.

3. Earl Grey's despatch to Lord Elgin of the 14th March 1851, laid down the principles which were then adopted by Her Majesty's Government in regard to their colonial policy, considered in a military point of view; and in reserving to the mother country the duty of maintaining garrisons for fortresses of chief importance, such as Quebec, invited the co-operation of the province for the auxiliary measures of defence. The vigour with which at this moment a militia force is being organized, justifies our continuing to place, as we do place, the fullest reliance on this policy.

4. It is not of course to be expected that the force of the garrisons alluded to should be at all times of an unvarying strength. It may vary occasionally from military or political reasons. During the war just ended, when the chief military strength of the empire had to be concentrated for the operations in the East, regiments stationed in Canada were withdrawn; and, as my predecessor, Sir George Grey, explained in a despatch dated 11th August 1854, increased responsibility was thrown upon the province.

That emergency has now happily passed away; but although the regular soldiers in Canada may be more or fewer at any particular time, the policy of Her Majesty's Government continues the same, and they desire to place their main dependence on the well-proved loyalty and courage of Her Majesty's Canadian subjects to repel any hostile aggression, should the occasion ever unfortunately occur, although in that event Her Majesty's Government would not fail to give to the province the full support of the whole power of the British empire.

5. You will take care that no misapprehension on this subject shall exist in Canada which might produce any relaxation of the honourable exertions which the province is now making to establish a suitable military organization. I have had the greatest satisfaction in submitting to Her Majesty the accounts which you have transmitted to me of the spirit and energy with which all classes of her Canadian subjects have come forward to carry into effect the provisions of the new Militia Act, and I trust that the result will be that this local force will speedily be placed on a footing of permanent efficiency.

I have, &c.

(Signed) H. LABOUCHERE.

DESPATCHES TO THE LIEUTENANT-GOVERNOR OF
NOVA SCOTIA.

NOVA SCOTIA.

No. 10.

No. 10.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Lieut.-
Governor Sir J. GASPARD LE MARCHANT.

(No. 2.)

SIR,

Downing Street, 19th April 1854.

I HAVE to acknowledge the receipt of your despatch No. 18, of the 30th ultimo, with the addresses to the Queen therein enclosed from the Legislative Council and House of Assembly for Nova Scotia, expressive of their readiness

(289.)

B 3

NOVA SCOTIA. to make exertions for the defence of the province, in the event of its being found necessary to withdraw the regular troops which at present form its garrison.

You will acquaint the legislative bodies that I have had the honour to lay their addresses before the Queen, and that Her Majesty was pleased to receive the same very graciously, and to express her great gratification at the proof which these addresses afford of the loyalty and patriotism of the Legislative Council and the House of Assembly of Nova Scotia, enhanced by the unanimity with which the addresses were adopted.

Her Majesty feels that she may repose entire reliance upon the noble offers of assistance which have thus been volunteered to her, in the war in which she is about to be engaged against the Emperor of Russia; and should circumstances render it necessary to require elsewhere the services of that portion of Her Majesty's army which at present forms the garrison of Nova Scotia, Her Majesty feels no apprehension that the safety of that portion of her empire would be endangered by the withdrawal of her troops, whilst the militia is ready to bear its share in the common defence.

I propose shortly to communicate with you upon the subject of the organization of a force of this nature. In the meantime I have to instruct you to transmit to me any particulars of information which you may be enabled to furnish with regard to the number of men which you should propose to raise in the first instance, and the age and rank of the officers whose services you might be enabled to secure.

You will also report to me what is the quantity, and what the condition of the arms now in the province, and what number of arms and accoutrements would be required to be sent from this country, with a view to enable me to come to a decision upon the various points which will have to be considered in the formation of a military force.

I am, &c.
(Signed) NEWCASTLE.

No. 11.

No. 11.

COPY of DESPATCH from his Grace the Duke of NEWCASTLE to Lieut.-General GORE, commanding the Troops.

SIR,

Downing Street, 11th August 1854.

I HAVE to acquaint you that Her Majesty's Government have determined upon the withdrawal from Nova Scotia of one regiment of infantry, and one company royal artillery. The regiment affected by this movement will be the 72nd.

I have further to inform you that one, if not two, companies of the 76th Regiment will have to be detached to New Brunswick, to which colony half a company of artillery will also have to be furnished from the force left under your command.

I shall communicate with you by the next mail regarding the fresh distribution of the troops under your command which will be rendered necessary by the foregoing scheme of reduction.

I have, &c.
(Signed) NEWCASTLE.

No. 12.

No. 12.

COPY of DESPATCH from His Grace the Duke of NEWCASTLE to Lieut.-General GORE.

SIR,

Downing Street, 18th August 1854.

IN my despatch, dated 11th instant, notifying to you the intended withdrawal of the 72d Regiment, and one company of royal artillery from the Nova Scotia command, I undertook to communicate with you by the present mail respecting the re-distribution of the troops which would be rendered necessary by this scheme of reduction.

I have accordingly to acquaint you that the 76th Regiment, augmented to 850 men, which will be the one then left in the command, is, together with the two remaining companies of royal artillery, to be stationed at Halifax, but that

one, or at most, two companies of that regiment and half a company of artillery will have to be detached from Halifax for service either at Fredericton or St. John's in New Brunswick. The small outposts which have been heretofore maintained, both within the province of Nova Scotia itself and without it, as at Cape Breton, St. Andrew's in New Brunswick, must be abandoned, and the detachment of the 76th Regiment on service in Prince Edward's Island must likewise be withdrawn.

You will lose no time in making all necessary preparations for carrying these arrangements into effect.

I have, &c.
(Signed) NEWCASTLE.

No. 13.

No. 13.

COPY of DESPATCH from the Right Hon. SIR GEORGE GREY, Bart., to Lieut.-Governor Sir J. G. LE MARCHANT.

(No. 1.)

Downing Street, 18th August, 1854.

*Page 13

SIR,
THE despatch* of the Duke of Newcastle, No. 2, military, of the 19th April, in acknowledgment of the generous offer made by both branches of the Legislature of Nova Scotia, in the event of Her Majesty deeming it necessary to withdraw any portion of her troops from that province, will have led you possibly to have anticipated an earlier announcement of the intentions of Her Majesty's Government on this subject.

I now transmit to you for your information, and as serving to explain to you the general grounds on which Her Majesty's Government have come to a decision on this subject, the copy of a despatch which I have addressed to the Governor-General of Canada, dated 11th August.

No. 17, 11 August
1854.
Vide page 9.

The Lieutenant-General in command of the forces in Nova Scotia, has been informed by the present mail that it is the intention of Her Majesty's Government to withdraw the 72nd Regiment from Nova Scotia, together with one company of artillery, thus reducing the force within the limits of his command to one regiment of infantry, the 76th, which will be increased to 850 rank and file, and two companies of artillery.

He has been instructed further that this regiment and the artillery are to be quartered at Halifax, but that one or possibly two companies of the former, and half a company of the artillery, should be detached for service, either at Fredericton, or St. John's in New Brunswick; also that the several small outposts within the command will have to be abandoned, and the detachment of the 76th Regiment on service in Prince Edward Island withdrawn, and that he is to lose no time in taking the necessary steps for carrying these arrangements into effect.

I will take an early opportunity of communicating with you on the subjects of the proposals contained in your despatch No. 35, of the 25th May, regarding the embodiment of a militia force in Nova Scotia.

I have, &c.
(Signed) GEORGE GREY.

DESPATCHES TO THE LIEUTENANT-GOVERNOR OF PRINCE EDWARD'S ISLAND.

PRINCE EDWARD'S ISLAND.

No. 14.

No. 14.

COPY of DESPATCH from Right Hon. Sir JOHN S. PAKINGTON to Lieut.-Governor Sir A. BANNERMAN.

No. 1.

SIR, Downing Street, 2nd July 1852.

I HAVE to acknowledge the receipt of your despatch No. 19, of the 23rd of April last, with the communications therein enclosed which have passed between

(289.)

PRINCE
EDWARD'S
ISLAND.

yourself and certain individuals in Charlottetown, who are desirous of enrolling themselves as volunteers.

Her Majesty's Government are of opinion, that the desire evinced by the individuals in question to be trained to the use of arms, is highly praiseworthy, and consequently deserving of encouragement.

I have accordingly instructed the Master-General and Board of Ordnance to provide rifles and accoutrements for one company of volunteers. But it must be clearly understood, that Her Majesty's Government do not feel themselves called upon, for the present, to make over these arms to the colony. The arms are lent to the colony, upon the understanding that a proper use will be made of them; that some person will be appointed to take care of them, when they are not in the hands of the volunteers; and that the colony will be responsible to Her Majesty's Government for those arms.

I have felt the less hesitation in sending these arms to Prince Edward's Island, as Her Majesty's Government are deeply impressed with the necessity of withdrawing all regular troops from the colony, at an early period.

The numerous desertions which are constantly occurring from the troops stationed in the island, not necessarily with the connivance of the inhabitants, constitute, as you are aware, a very heavy expense to this country; while the circumstance of the troops being unavoidably detached from the garrison of Halifax, is another source of additional outlay. The time has, therefore, arrived when the inhabitants of Prince Edward Island should themselves provide, I will not say, for their protection,—for their security is not exposed to any immediate danger,—but for the common duties which the troops have to perform, and which may very well be discharged by a few constables.

I do not propose, however, to give orders for withdrawing the troops, until I shall have heard from you at what period it will be perfectly convenient that arrangements should be made for that purpose.

I am, &c.
(Signed) JOHN S. PAKINGTON.

No. 15.

No. 15.

COPY of DESPATCH from his Grace the DUKE of NEWCASTLE to Lieutenant-Governor Sir A. BANNERMAN.

No. 1.

SIR,

Downing Street, 29th January 1853.

REFERRING to Sir John Pakington's Despatch of the 2nd of July last, in which an intimation was conveyed to you of the necessity which has arisen, for imposing upon the colony under your government the duty of making provision for the performance of the duties now discharged by the small detachment of regular troops stationed there, I now feel it my duty to remind you that the answer which you have promised to that despatch has not been received.

I am not without hopes, that it may be found practicable to send a company of enrolled pensioners to Prince Edward's Island; but my present impression is, that under any circumstances, the troops must be withdrawn at a very early period.

I have, &c.
(Signed) NEWCASTLE.

No. 16.

No. 16.

COPY of DESPATCH from his Grace the DUKE of NEWCASTLE to Lieutenant-Governor Sir A. BANNERMAN.

No. 2.

SIR,

Downing Street, 22nd April 1853.

I HAVE to acknowledge the receipt of your Despatch, marked "separate and confidential," of the 11th March, with the addresses therein adverted to, to

the Queen and to yourself, from the Legislative Council and House^w Assembly of Prince Edward's Island, praying that the detachment of troops now stationed there may not be withdrawn.

You will acquaint the Council and the House of Assembly, that I have laid their dutiful address before the Queen, and that Her Majesty was pleased to receive the same very graciously; but that I have not felt myself at liberty to advise Her Majesty to comply with the prayer of the address.

If the colony were threatened with danger of aggression, Her Majesty's Government would not be slow in affording every assistance for its protection, but no such danger is threatened; and we feel that it is not right to relieve the Legislature of Prince Edward's Island from the duty and the charge of maintaining a force,—whether it be police, militia, or enrolled pensioners,—of sufficient amount to preserve the internal peace of the colony.

We are now reducing the garrisons of both Canada and Nova Scotia; but some troops must be left there for the occupation of important military works, or for other purposes which are purely military. In Prince Edward's Island, there are no works which require to be occupied for military purposes, or which might not equally well be occupied by a militia force; nor is there any object for which a military force can be at all necessary, excepting that of preserving the peace.

I have now to remind you again that you have not replied to the question which was referred to you by my predecessor, in his despatch of the 2nd of July last, as to the period when it would be perfectly convenient to your government that arrangements should be made for withdrawing the troops, thereby inviting you, of course, to consider the propriety of making arrangements for replacing the troops either by police, militia, or enrolled pensioners, as soon as may be practicable.

I have held out some expectation that it might be practicable to send out a company of pensioners, or at least as many men as, with those now in the colony, might form a company; but the realization of that expectation must be conditional upon the facility of obtaining lands for the men, as well as upon the colony being prepared to find labour for them for some months after their arrival, and also of erecting cottages for their habitation, and upon paying them for those days on which their services may be required under arms.

It only remains for me to state that I propose to instruct the Major-General commanding in Nova Scotia, to withdraw the troops from Prince Edward's Island before the setting in of the ensuing winter season.

I am, &c.
(Signed) NEWCASTLE.

No. 17.

No. 17.

COPY of DESPATCH from his Grace the DUKE of NEWCASTLE to
Lieut.-Governor SIR A. BANNERMAN.

No. 4.

SIR,

Downing Street, 1st December 1858.

I HAVE to acknowledge your Despatch, No. 3, military, of the 30th August, enclosing a petition from the inhabitants of Queen's County to Her Majesty, relative to the withdrawal of the troops from Prince Edward's Island.

I have laid this petition before Her Majesty, who was pleased to receive the same very graciously.

But I have not been able to advise Her Majesty to reconsider the determination already communicated to you by my Despatch of the 22nd of April last. I could not recommend that the military should be maintained in the Island to do the duty which ought to be accomplished by an effective local police, especially when such maintenance is at the cost of repeated and numerous desertions. The establishment of a police force to perform the services properly belonging to such a body, and the framing and execution of really effective measures to check desertion, are preliminaries indispensable towards any reconsideration of the decision thus arrived at by Her Majesty's Government.

I am, &c.
(Signed) NEWCASTLE.

PRINCE
EDWARD'S
ISLAND.

No. 18.

COPY of DESPATCH from his Grace the DUKE of NEWCASTLE to Lieutenant-Governor DALY.

No. 18.

No. 1.

SIR,

Downing Street, 12th June, 1854.

I HAVE to acknowledge the receipt of Sir A. Bannerman's Despatch, dated 9th ultimo, reporting the rejection by the Legislative Council of a Bill which had been passed by the Assembly of Prince Edward's Island, for the establishment of a small Police Force, and urging, among other measures, that the company of the 76th Regiment, now stationed in the colony, should be allowed to remain there for the present.

I regret the rejection of the bill in question, but Her Majesty's Government cannot postpone on that account the intention which has been so long and so repeatedly expressed by them of withdrawing the detachment of Her Majesty's troops, and immediate steps will be taken for that purpose.

I see no reason, as at present advised, for adopting the suggestions of Sir A. Bannerman in regard to the Barracks, but I will delay taking any final decision until furnished with a report from you on the subject.

I have, &c.
(Signed) NEWCASTLE.

No. 19.

No. 19.

COPY of DESPATCH from the Right Honourable Sir G. GREY to Licut.-Governor DALY.

No. 1.

SIR,

Downing Street, 18th August 1856.

I HAVE duly received your despatch of the 3d July, marked "Military," deprecating the removal of the troops from Prince Edward's Island, as notified to you in the despatch of the Duke of Newcastle of the 12th June, Military, No. 1.

Apart from the considerations connected with the war in which we are engaged, which have determined Her Majesty's Government to withdraw a large portion of the forces from the British North American Colonies, I perceive, from the many despatches which have been addressed to your predecessor, during the last three years, that there are not wanting special grounds for this measure in the case of Prince Edward's Island.

The Despatch of the Duke of Newcastle to yourself, to which I have referred, will indeed have led you to anticipate an earlier fulfilment of the intention therein expressed.

I have now to acquaint you that Lieutenant-General Gore has been instructed, by the present mail, that the 72d Regiment and one company of Royal Artillery are to be brought home; that the 76th Regiment, which is to be increased to 850 rank and file, and the two remaining companies of Royal Artillery, which will then (exclusive of the Royal Newfoundland Company) comprise the only force within the limits of his command, are to be quartered at Halifax; but that one or two companies of that regiment, and half a company of artillery, will have to be detached for service in New Brunswick.

He has been further instructed that all the small outposts maintained in Nova Scotia and New Brunswick are to be forthwith abandoned, and the detachment of the 76th Regiment, on service in Prince Edward's Island, withdrawn.

He is, moreover, to take immediate steps for carrying these arrangements into effect.

I transmit for your information, and as serving to explain to you the general grounds on which Her Majesty's Government have been induced to make so large a reduction of the forces maintained in British North America, a copy of a despatch, dated 11th August, which I have addressed to the Governor-General of Canada on the subject.

I have, &c.
(Signed) G. GREY.

No. 17.
11th August 1854.
Vide page 9.

No. 20.

COPY of DESPATCH from the Right Honourable Sir G. GREY, Bart., to
Licut.-Governor DALY.

PRINCE
EDWARD'S
ISLAND.

No. 20.

No. 2.

SIR,

Downing Street, 7th November 1854.

I HAVE to acknowledge the receipt of your Despatch of the 10th ultimo, marked "Military," transmitting a joint address to the Queen, from the Legislative Council and House of Assembly of Prince Edward's Island; in reference to the late withdrawal of Her Majesty's troops from that island. You will acquaint the Legislative Council and Assembly that I have had the honour to lay their address before the Queen, and that Her Majesty was pleased to receive it very graciously. You will further acquaint them that the small amount of Her Majesty's regular forces now left in British North American Colonies will render it impracticable to detach any portion thereof to Prince Edward's Island, as requested; but that Her Majesty's Government will not fail to give all due consideration to the circumstances set forth in the address as constituting special and peculiar grounds for supplying a substitute for the troops withdrawn. Inquiries have been already instituted by the Duke of Newcastle, for the purpose of ascertaining how far it would be practicable to give effect to the recommendations on that head contained in your Despatch of 11th September, by enrolling a body of pensioners for service in the colony; I have to add that Her Majesty's Government deem this, in a financial point of view, to be a description of force better suited to the colony than a corps of fencibles; but if, as may be inferred from the address, the Legislative Bodies prefer the latter, and are prepared, as stated in your Despatch, to provide all charges connected therewith, Her Majesty's Government will willingly consider any suggestion which you may have to offer on that subject. You will, however, bear in mind that the fencibles are on permanent pay at a rate of about one-fourth more than an equal number of troops of the line, owing to their longer service.

I have, &c.

(Signed) G. GREY.

No. 21.

COPY of a DESPATCH from the Right Honourable Sir GEORGE GREY to
Lientenant-Governor DALY.

No. 21.

No. 22.

SIR,

Downing Street, 17th November 1854.

WITH reference to my Despatch marked military, No. 2, of the 7th instant, I have to inform you that it has been determined to make some alterations in the state of the garrison in Newfoundland, a measure which will, I trust, afford the means of meeting the demand for military aid recently preferred by the Legislature of Prince Edward's Island.

Her Majesty's Government propose that out of the excess of the garrison at Newfoundland a small company of 50 men should be formed, with two officers, for service in Prince Edward's Island, provided the Government of that island will undertake to defray the necessary expense of maintaining it.

I have, &c.

(Signed) G. GREY.

No. 22.

COPY of a DESPATCH from the Right Honourable Sir GEORGE GREY to
Lientenant-Governor DALY.

No. 22.

No. 23.

SIR,

Downing Street, 18th January 1855.

I HAVE to acknowledge the receipt of your Despatch, marked military, of the 28th of November last, relative to the formation of a force to supply the
(289.)

PRINCE
EDWARD'S
ISLAND.

6th January 1855.

* Page 19.

place of the detachment of troops recently withdrawn from Prince Edward's Island.

I transmit for your information the copy of a letter addressed to this department by desire of the Duke of Newcastle, enclosing copies of a correspondence between His Grace's department and that of the Secretary at War, and adverting to my Despatch,* No. 22, of the 17th of November, I have to instruct you, unless you should have addressed to me a communication rendering further reference to the Legislature unnecessary, to bring the subject under the consideration of that body, and to report to me its views on the several proposals for the defence of the island.

I have, &c.
(Signed) G. GREY.

Encl. in No. 22.

Enclosure in No. 22.

SIR,

War Department, 6th January 1855.

I HAVE laid before the Duke of Newcastle your letter of the 27th ultimo, transmitting by desire of Secretary Sir George Grey, with a view to his Grace's advice as to the steps to be taken thereupon, a Despatch from the Lieutenant-Governor of Prince Edward's Island, dated 28th November, with its enclosed extract from Minutes of the Executive Council, expressive of the opinion of that body, that "if it be the decision of Her Majesty's Government to order a company of pensioners to be raised for service in the island, and to be maintained at the expense of the Imperial Government, such a measure would be gratefully received."

Sir George Grey is aware, from my letter of the 7th November, that under an impression, derived from previous despatches of Lieutenant-Governor Daly, (11th September, military, confidential; 10th October, military) that the description of force which would be most acceptable to the Colonial Legislature would be a small corps of fencibles, on the model of that in Newfoundland, and that the local government were prepared to defray all charges connected therewith, the Duke of Newcastle proposed to detach from Newfoundland for service in Prince Edward's Island, a company of about 50 men with two officers. It appears, however, from the Lieutenant-Governor's present despatch, that the further information with which he had been supplied regarding the expenses attendant on this arrangement, has satisfied him that the interests of the colony will be best consulted by reverting to the original scheme for the formation of a corps of pensioners, as a substitute for the troops withdrawn.

I am to transmit to you for the information of Sir George Grey, copies of the correspondence which has already passed between this department, the War Office, and the Ordnance on this subject; and to state, that until the result of the reference made to the colony, by the Board of Ordnance, respecting the reserve on which it is proposed to settle the pensioners, shall have been ascertained, no step can advantageously be taken for procuring volunteers for this service.

Sir George Grey will learn from the letter of Mr. Hawes, dated 26th October, the probable expense of employing these pensioners, which His Grace conceives will not amount to more than the colony can be properly called upon to defray from its own revenues.

His Grace would suggest that this correspondence should be communicated to the Lieutenant-Governor, in answer to his despatch.

I am, &c.
(Signed) G. C. MURPHY.

War Department
4th Oct. 1854.

War Office,
26th Oct. 1854.

War Department,
4th Nov. 1854.

War Department,
30th Dec. 1854.

Sub-Enclosure 1.

Sub-Enclosure 1.

SIR,

War Department, October 4th, 1854.

I AM directed by the Duke of Newcastle to transmit to you, for the consideration of the Secretary-at-War, the accompanying copy of a Despatch with its enclosure received from the Lieutenant-Governor of Prince Edward's Island, in reference to the embodiment of a small corps of pensioners, as a substitute for the detachment of Her Majesty's troops about to be withdrawn from that island.

His Grace perceives from the report of Captain Tulloch, addressed to the War Office, under date 1st October 1850, giving the result of his inspection of the pensioners in this and the other North American provinces, that Prince Edward's Island is stated to present advantages for the location of pensioners superior to those possessed by any other colony and his Grace hence concludes that, provided the Local Legislature be willing to place at the disposal of the Lieutenant-Governor the sum requisite for the pay and maintenance of

the pensioners while on duty, the arrangement would be the best that could be suggested in the interests alike of the pensioners and of the colony. He would be glad to be furnished with the early opinion of Mr. Sidney Herbert on the subject.

I am, &c.
(Signed) NEWCASTLE.

PRINCE
EDWARD'S
ISLAND.

Sub-Enclosure 2.

Sub-Enclosure 2.

SIR,

War Office, 26th October 1854.

WITH reference to your letter of the 4th instant, I am directed to state that the Secretary-at-War concurs in the opinion of his Grace the Duke of Newcastle, as to the advantages which are likely to be derived from the formation of a small corps of pensioners in Prince Edward's Island, but as the number of men resident there, and of a fit age for that duty, is only between 20 and 30, the force would have to be made up chiefly of volunteers from this country, and the probability of obtaining them would of course in a great measure depend upon the encouragement held out to settle there. It would appear, from the report of Lieutenant-Colonel Tulloch in 1850, that much facility might be afforded in this respect by the settlement of pensioners on an Ordnance reserve, called the Warren Farm, containing about five hundred acres, adjacent to Fort Amherst, which commands the entrance to the harbour.

This land has been let by the Ordnance Department at 1s. a year, till required for public purposes, and, if divided among one or two companies of pensioners, it would form a great inducement to them to settle there, and afford the required protection to the colony.

In order, however, to prevent any of the difficulties which have arisen in regard to the Canada Reserves, it would be necessary, in the first instance, to ascertain whether the Ordnance Department is ready to give over this ground for the purpose referred to, and whether they are aware of any obstacle to its being so applied. This point being settled, a small allowance of 3*l.* or 4*l.* a year to each pensioner to provide himself with a cottage, or an advance for the purpose of erecting one, would probably be sufficient to secure the required number of volunteers, who could be called out occasionally for exercise, as in this country, so as to be always ready for duty when wanted. If any of them had to be kept upon duty for a few days, the cost would be from 2*s.* to 2*s.* 6*d.* a day, but such an occasion would, it is presumed, be of rare occurrence, so that the whole expenditure of the force, including that of an officer to command them, would probably be no more than could readily be met by the colony.

The Secretary-at-War will be ready to enter into a further consideration of the terms which should be offered to these men, when he ascertains if this reserve will be available, and should it prove to be so, he would suggest that it might save time, if the Ordnance Department were at once directed to intimate the intention of the Government to resume it for the settlement of pensioners.

I have, &c.
(Signed) B. HAWES.

Sub-Enclosure 3.

Sub-Enclosure 3.

SIR,

War Department, 4th November 1854.

THE Duke of Newcastle having had occasion to refer to the Secretary-at-War, for information as to the practicability of enrolling a small corps of pensioners for service in Prince Edward's Island, in substitution for the detachment of Her Majesty's troops lately withdrawn from thence, I am directed to transmit to you the enclosed extracts from a letter received from the War Office on the subject; and I am to request that in laying the same before the Board of Ordnance, you will signify to them his Grace's wish to be informed whether the Ordnance reserve therein referred to, can be rendered available for the settlement of such pensioners, as suggested.

Should no valid objection exist to the lands comprising this reserve being thus applied His Grace concurs with the Secretary-at-War, as to the expediency of notice being given by the Board to the party or parties concerned, of the probability of those lands being early required for public purposes, and of their being resumed with that view.

I am, &c.
(Signed) G. C. MUNDY.

Sub-Enclosure 4.

Sub-Enclosure 4.

SIR,

Office of Ordnance, 30th December 1854.

IN reference to your letter of the 4th ultimo, and its enclosures, relative to the appropriation of a piece of Ordnance reserve land at Prince Edward's Island, called "Warren Farm," for the settlement of pensioners, I have the honour, by command of the Board of

(289.)

C 3

PRINCE
EDWARD'S
ISLAND.

Ordnance, to acquaint you, for the information of the Duke of Newcastle, that a reference having been made to the Assistant Inspector General of fortifications on this subject, that officer has reported thereon as follows:—viz:—“The works at Charlotte Town, Prince Edward’s Island, have not been kept up for some years, and I am not aware of there being any military objection to the settlement of pensioners on the reserve called ‘Warren Farm,’ upon similar conditions to those established in Canada. Warren Farm is at the entrance of the harbour, and the two works there are in ruins. The sites should be so far reserved that no buildings be allowed upon them, in order to avoid future difficulties in case of this coast being threatened. I referred the papers to Colonel Savage, R.E., lately returned from the station, who sees no objection, but thinks the ground has been let; whether the lease will offer any difficulty, may perhaps be a question for the solicitor.” I am further to state, for His Grace’s information, that the Board have called upon their officers at Prince Edward’s Island to report whether there is any lease affecting the land in question, and, if so, upon what terms the lessee would surrender the lease; and, should the conditions of the lease admit of it, that they will give summary notice to the parties to quit the land, on the ground that it is required for the public service.

I have, &c.
(Signed) J. P. WOOD.

No. 23.

No. 23. COPY of a DESPATCH from the Right Honourable Sir GEO. GREY to Lieutenant-Governor DALY.

No. 5.

SIR,

Downing Street, 10th March 1855.

I HAVE to acknowledge your Despatch No. 2, of the 29th January last, transmitting a Memorial to Her Majesty from certain gentlemen in Charlotte Town, relative to the enrolment of a Volunteer Rifle Corps.

I have to instruct you to inform the memorialists, that Her Majesty is fully sensible of the loyalty and patriotism which has dictated this offer on the part of Her subjects in Prince Edward’s Island.

It is the wish of Her Majesty’s Government that every encouragement should be given to the formation of local corps for the defence of the colony, but the particular mode in which this object should be attained must be left in their opinion, in the first instance, to the discretion of the officer administering the Government.

I have no reason to doubt the expediency of the course you have taken in postponing a compliance with the present application, and I am convinced that you will afford every proper facility for the formation of such corps in a manner best calculated to ensure their usefulness and efficiency.

I have, &c.
(Signed) G. GREY.

No. 24.

No. 24. COPY of a DESPATCH from the Right Honourable Sir GEORGE GREY to Lieutenant-Governor DALY.

No. 9.

SIR,

Downing Street, 22nd March 1855.

I HAVE to acknowledge the receipt of your Despatch No. 1., of the 29th of January last, enclosing a copy of a Minute of the Executive Council of Prince Edward’s Island, suggesting that a rifle corps should be permanently enrolled for the defence of the island, to supply the place of Her Majesty’s troops.

I have to acquaint you that the Board of Ordnance have received instructions to comply with the request of the Council as expressed in their Minute, to be allowed to appropriate towards the equipment of the corps about to be enrolled, the arms and Ordnance stores now under the charge of the Ordnance store-keeper in the island, and the corps is to be furnished, in addition, with 100 sabres and pistols with belts and pouches from this country.

I have further to instruct you to express to the Council the sense which Her Majesty’s Government entertain of the spirit of patriotism and self-reliance evinced by the authorities of Prince Edward’s Island by the project which they have thus formed for the defence of the colony.

I have, &c.
(Signed) G. GREY.

DESPATCH TO THE LIEUTENANT-GOVERNOR OF NEW
BRUNSWICK.

No. 25.

No. 25.

COPY of DESPATCH from the Right Hon. Sir GEORGE GREY, Bart., to
Lieutenant-Governor Sir E. HEAD.

No. 5.

SIR,

Downing Street, 18th August 1854.

I TRANSMIT to you herewith, for your information, a copy of the Despatch which I have written to the Earl of Elgin, explanatory of the grounds on which Her Majesty's Government have been led to withdraw a large portion of the forces serving in Canada. The like considerations have induced them to order home the 7th Regiment, and one company of the Royal Artillery, from the Nova Scotia command; thus reducing the force there to a single regiment, the 76th, which will be increased to 850 rank and file, and two companies of artillery. The Lieutenant-General in command has been instructed that the whole of this force is to be quartered at Halifax, but that he is to detach for service either at Fredericton, or St. John's, in New Brunswick, one or two companies of the 76th Regiment and half a company of artillery.

I have, &c.

(Signed) G. GREY.

No. 17.
11th Aug. 1854.
Vide page 9.

No. 26.

CANADA.

No. 26.

REPORT of the COMMISSIONERS appointed to investigate and report upon the best means of re-organizing the MILITIA of CANADA, and providing an efficient and economical System of PUBLIC DEFENCE, and to report upon an improved System of POLICE, for the better Preservation of the Public Peace.

To His Excellency SIR EDMUND WALKER HEAD, BARONET, Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice Admiral of the same, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY :

The Commissioners appointed by Letters Patent under the Great Seal of the Province, dated 27th October 1854, for the purpose of investigating the state of the Militia of Canada, of re-organizing the said Militia, and of providing an efficient and economical system of public defence, and further to report on an improved system of Police for the better preservation of the public peace—

Having given the above matters their best consideration, beg leave most respectfully to report to Your Excellency, that

1. With regard to providing an efficient and economical system of public defence, the Commissioners are unanimously of opinion that the establishment of Volunteer Troops of Militia Cavalry, Field Batteries and Foot Companies of Artillery, and Companies of Infantry, armed as Riflemen in the several localities set forth in the Schedule marked A, attached to this report, and under conditions of service hereafter to be mentioned, will prove the most efficient, economical and popular system of public defence which can be adopted under the present circumstances of the Province, taken into connexion with such measures as they will also have the honour of submitting to Your Excellency for the re-organization and armament of the Sedentary Militia.

The defence of the Province, from the nature of the Country, must at all times be mainly dependent upon Artillery and Infantry; the services of Cavalry being principally confined to keeping up communications, and to patrol and outpost duties, and the Commissioners need not enlarge upon the obvious advantages to be derived from the organization of a Volunteer Force of the several Arms of Artillery, Cavalry and Infantry in the principal Cities, Towns and Villages in the Province whereby such additional facilities are afforded for

CANADA

purposes of drill and target practice, frequent exercise at the latter being indispensable to the efficiency of both Artillery and Minié Riflemen, and should their recommendations on these heads be carried into effect, they confidently believe such measures will be the means of forming an efficient body of Field Artillery, Cavalry and Riflemen, which, should occasion require their services in the field, would prove of the greatest possible advantage when acting in conjunction either with the Sedentary Militia or Her Majesty's Regular Forces, and besides this giving a general feeling of security throughout the Province, and being moreover available at all times to act in aid of the civil power.

From the spirit which animates the population of Canada, the Commissioners have every reason to believe that no difficulty will be experienced in obtaining the requisite number of Volunteers to fill up the proposed force of that class which, under these arrangements, will consist

Of Sixteen Troops of Cavalry,
Of Seven Field Batteries of Artillery,
Of Five Foot Companies of Artillery, and
Of Fifty Companies of Riflemen,

amounting in round numbers to 4,047 of all Arms for a Volunteer Militia Force.

2. The Commissioners have also considered what measures should be adopted with regard to the formation of a Provincial Marine for the service of the Lakes, &c., and their report on this branch of the public defence is submitted for Your Excellency's consideration.

3. They have further directed their attention to the several Military Reserves and public buildings belonging to the Imperial Government in this Province, which under certain limitations, are proposed to be surrendered to the Province, and they have the honour of submitting to Your Excellency their views with regard to the assumption by the Province of such of these Reserves and Public Buildings as appear to them to be required for purposes of public defence, or which not being particularly required for such purposes may be advantageously sold, and the proceeds applied towards defraying the expense of measures connected with the defence of the Province.

Volunteer Militia Force.

(1.) The Commissioners recommend that the strength of each Volunteer Troop of Cavalry, Foot Company of Artillery, and Company of Infantry, be as follows, viz.:

1 Captain,
1 Lieutenant,
1 Cornet, 2nd Lieutenant or Ensign,
3 Sergeants,
3 Corporals,
1 Trumpeter or Bugler,
48 Privates ;

But they would not recommend the above numbers being the limit with regard to Infantry Companies ; such Companies could be very conveniently increased to 75 Rank and File in localities desirous of enrolling such numbers, and whenever Your Excellency may consider such to be requisite.

(2.) That each Field Battery of Artillery consist of

1 Captain,
2 First Lieutenants,
1 2nd Lieutenant,
1 Sergeant Major,
3 Sergeants,
3 Corporals,
3 Bombardiers,
1 Trumpeter,
1 Farrier,
59 Gunners and Drivers, including Wheeler, Collar Maker, and Shoeing Smith,
56 Horses, exclusive of Officers' Horses, and of 4 spare Horses, requisite when called into active service.

(3.) They recommend that Cavalry Troops be armed with Sabres and Pistols.

(4.) That the Field Batteries of Artillery be armed with 2 Six-pounder Guns and 2 Twelve Howitzers for each battery, and that 8 Percussion Carabines be supplied to every Field Battery, as also a Sabre to every Gunner and Driver.

(5.) That the Foot Companies of Artillery be armed with Percussion Fusils, and Bayonets to make them more generally useful; and that the Infantry Companies be armed with the best description of Minié Rifle and Bayonet; and that the whole accoutrements supplied to the Volunteer Force be of Brown Leather, similar to patterns before the Commissioners, with certain alterations and modifications which will be specified in another part of this Report—which arms and accoutrements are to be provided free of expense to the Volunteer Force.

(6.) To ensure the efficiency of this Volunteer Force, the Commissioners recommend that Ball and Blank Ammunition, for practice, be issued annually in the proportions authorized in Her Majesty's Regulations for the Regular Forces, to Cavalry, Artillery and Rifle Regiments.

(7.) That the uniform of the Volunteer Force be prescribed by Your Excellency, and that towards defraying the expense of such uniform a sum of 2*l.* be granted to every non-commissioned Officer and man on enrolment and on duly providing such uniform, and that a further sum of 2*l.* be granted to each Volunteer on the expiration of three years' service, and a further sum of 2*l.* on the completion of seven years' service, and in case any Volunteer should retire from the service before the expiration of five years, that such individual be required either to hand over his uniform or to refund the sum of two pounds to whatever person shall enter in his place.

(8.) That the officers and men composing the Volunteer Force be exempted from serving on Juries, and the horses of officers and men in Troops of Cavalry and Field Batteries of Artillery, if duly enrolled, be exempted from execution, distress, or assessment.

(9.) That the Officers be nominated by Your Excellency, and the non-commissioned Officers by the Captain commanding every Troop or Company.

(10.) That the officers and men composing the Volunteer Force of Cavalry, Infantry, and Foot Artillery be required to drill 10 consecutive days every year, and to receive pay at the rates hereafter to be specified whilst at drill, &c.; but to ensure the efficiency of the Field Batteries of Artillery the Commissioners recommend that the officers and men of this important Arm be required to drill 20 days annually, 10 days of which are to be consecutive; a due attendance from every member of the Force at drill to be enforced, unless the cause of absence is satisfactory to the Captain commanding the Troop or Company to which he belongs, and non-attendance for five consecutive days from established parades and drills, to be considered a disqualification for the Volunteer service, unless the cause of absence is satisfactory to the Captain.

(11.) That before any individual be enrolled as a Volunteer, he shall be required to sign, in the presence of the Captain of the Troop or Company and another witness, a Service Roll of the Troop or Company, which is to be carefully kept by the Captain or Officer commanding it, agreeably to the form in Schedule B. attached to this Report.

(12.) The Commissioners recommend that the officers and men of the Volunteer Force, whilst at drill for the number of days as before stated, be paid at the following rates per diem, viz. :

	s.	d.
Captains - - - - -	10	6
Lieutenants - - - - -	7	6
2nd Lieutenants; Cornets, or Ensigns - - - - -	6	6
Non-commissioned Officers and Privates - - - - -	5	0

And that in Troops of Cavalry an additional allowance of 5*s.* per diem be granted for every Troop Horse, whether of officers or men present at such parades and drills, towards defraying the expense of Forage and Saddlery, and that in Field Batteries of Artillery, a like allowance of 5*s.* a day be granted for each Officer's and Battery horse actually present.

(13.) In consequence of the responsibility which is attached to the situation of Sergeant Major of the Field Batteries of Artillery, they recommend that an annual allowance of 50*l.* be granted to persons filling such situations, as a suitable remuneration for drilling the Batteries and exercising a charge and superintendence over the numerous stores attached to every Field Battery, and

CANADA

which duties entail a considerable amount of responsibility, and require constant care to be properly performed.

(14.) That the officers and men serving in the Volunteer Militia Force be exempted from future service in the Militia of the Province after 7 years' service as Volunteers, except in case of war or insurrection, and after such 7 years' service in the Volunteer Force to be exempted from serving on Juries.

(15.) That these Troops and Companies be liable to be moved to other parts of the Province to quell Riots, or on other emergencies, and whilst so employed, to be paid at the same daily rates as when at drill, and which are already specified. The Municipality or County requiring their assistance in aid of the civil power to be moreover required to provide lodging of a proper description for the Volunteer Force whilst so employed in aid of the public peace, and to pay every officer and man 2s. 6d. per diem for their additional expenses.

(16.) That these Troops or Companies be required to move on requisition made in writing by one or more Magistrates in aid of the civil power, and if required to do so, to be sworn in as Special Constables, and whilst employed on such duties, to be considered as under the orders of the Magistrate or Magistrates charged with the preservation of the public peace, and if more than one Troop or Company is employed at any locality, the Senior Officer is to have the military command of the whole.

(17.) That the arms, accoutrements, &c., of these Troops or Companies, as a general rule, will be in charge of the individual members, unless otherwise directed to be placed in store, in which case, should there be no public Armoury or other building available for storing the arms, &c., an annual allowance of 5*l.* will be granted to the Captain for taking charge of the arms, &c., belonging to his Troop or Company.

(18.) That both the Captain of the Troop or Company and the individual members thereof, on receiving these arms, accoutrements, ammunition, &c., be required to sign a receipt for the same agreeably to the Form laid down in Schedule B. attached to this Report.

(19.) That an allowance of 7*s.* 6*d.* a day be granted to the Pensioner or other competent person appointed to drill these Troops or Companies, with the exception of the Field Batteries of Artillery, the Serjeant Majors of which are recommended to receive an annual sum for such services.

(20.) That all defects, to arms, accoutrements, &c. of the Volunteer Force, actually incurred on service, be made good at the public expense out of the general funds of the Province; but all such defects incurred through negligence or carelessness, be made good at the expense of the individuals who have caused such defects.

(21.) The Commissioners recommend that periodical inspections of the Volunteer Force be made by Field Officers appointed and paid for such duties, and Reports on the efficiency of the Force, as well as the condition of their arms, accoutrements, &c. be made under such instructions as Your Excellency may seem pleased to order.

(22.) They consider that the compilation of a simple and uniform code of drill and instruction for the use of the Volunteer Militia Cavalry and Riflemen, would materially tend to their efficiency, and that such should be issued to the Officers and non-commissioned Officers composing the Force. The Field Batteries of Artillery should adopt the instructions for drill, &c. laid down for the Royal Artillery.

(23.) An estimate of the probable annual amount of pay and allowances for the proposed Volunteer Force under the above mentioned conditions of service, is set forth in Schedule C. attached to this Report.

(24.) With regard to the expense of the armament of the Volunteer Force, the Commissioners herewith annex a statement of the probable cost of such armament, founded upon a list of prices furnished by Messrs. Hebbert & Co., of Pall Mall, London, Army Clothiers, and which was sent with the patterns of Arms, &c., before the Commission set forth in Schedule D. attached to this Report. In their statement, the Commissioners have not included the expense of the armament of the Field Batteries of Artillery, as they have reason to know there are in the Ordnance Stores in the Province, a sufficient number of Six-pounder Batteries complete to supply the number recommended by them; and they are under the impression that the Imperial Government will readily permit these Batteries to be handed over for the use of the Volunteer Force, on application to that effect being made.

Some trifling addition to the present estimate will be incurred by the adoption of such alterations as appear to the Commissioners to be absolutely necessary in the pattern accoutrements furnished by Messrs. Hebbert & Co., viz. :—to add a Shoulder Belt to the Infantry Pouch, to increase the capacity of the Pouch so as to hold 60 Rounds of Ball Cartridge, to supply a stronger description of leather for the Pouch, and to assimilate the Bayonet Scabbard and its method of attachment to the Waist-belt to that adopted in Her Majesty's Forces; but these alterations will entail but a very small addition to the original estimate.

The Sedentary Militia.

(1.) This Force is the main source of the defence of the Province, and its successful organization is a point of the highest importance.

The proposed Volunteer Corps are the Auxiliary Forces of the three Arms of Cavalry, Field Artillery and Riflemen, who having attained a certain degree of efficiency, as regards drill and knowledge of their respective arms, will thereby be enabled to render the greater service to the Sedentary Militia, when actually embodied for service; but, as before stated, it is upon the Sedentary Militia that the Province must depend in times of danger for its effectual defence.

In proposing to Your Excellency such means as appear to be required for an efficient organization of this Force, the Commissioners have been guided by the principle that an organization which will enable the Sedentary Militia to take the field at the shortest possible notice, armed and equipped, is for many obvious reasons, far preferable to any partial attempts to drill this force generally, and they therefore beg to express their opinion to Your Excellency, that unless there appears to be an evident necessity, the Sedentary Militia should not be required to assemble at all, (with the exception of one annual muster of each Regiment, that for Canada East to be held on the 29th June, and that in Canada West on the Queen's Birthday), but that every means should be taken beforehand to render them efficient as regards organization and armament, so that whenever such necessity shall arise, and the whole or any portion of this Force be called into active service, and embodied, they may be able to turn out in a satisfactory manner.

(2.) The Commissioners are of opinion that no alteration is requisite regarding the present division of the Sedentary Militia into classes for service according to age, that is to say, that the male population from 18 to 40 years of age should be the class from which the several Battalions in the Province are to be formed, and that the male population from 41 to 59 years of age inclusive, should neither be enrolled nor called upon to serve, except in case of war or insurrection.

(3.) They have carefully abstained in their recommendations from interfering with the existing limits of Battalions; but they recommend that each Battalion of Militia consisting of the male population within its limits from 18 to 40 years of age inclusive, be divided into two Divisions; the men of the first Division to be called the Service Men, and to consist of all unmarried men and widowers without children, from the ages of 18 to 40 years; and the men of the Second Division to be called the Reserve Men, to consist of all married men and widowers with children, between the same ages, within the limits of such Battalion.

(4.) The Service Men of each Battalion to be the first for service; the Reserve Men could only be required under extraordinary circumstances, as it appears there are in Canada East 72,927 Bachelors, between the ages of 18 and 40 years, and in Canada West 117,332 Bachelors of the same ages from as near an approximation as can be made from the Census Returns of 1851-2.

(5.) They recommend that the Province be divided into 18 Military Districts, viz. : 9 in Canada East and 9 in Canada West, agreeably to the map which accompanies this Report and to Schedule E. attached thereto, which likewise shows the approximate numbers of the male population in each Military District between the ages of 18 and 40 years, the number of Bachelors of the same age, and the number of Battalions of Militia in each District.

(6.) They recommend that a Field Officer of Militia, to hold the rank of Colonel, be nominated to command the Militia in each Military District, and that an Assistant Adjutant-General of Militia and an Assistant Quartermaster-General of Militia be appointed to each District, with the rank of Majors of Militia, to act under the orders of the Colonel commanding the District; the Assistant Adjutant-General of Militia to be held responsible for the due transmission of all Returns of the Militia in the District which are required to be

CANADA.

forwarded to the Adjutant-General of Militia at head quarters, for the performance of which duties, the Commissioners recommend that an annual sum of thirty pounds be granted. The Assistant Quartermaster-Generals of Militia in the several Districts, should be required to make themselves acquainted with the several roads, &c., in their respective Districts, so as to be able to perform the duties of the Quartermaster-General's Department in an efficient manner in case the Militia should be called into service; but under ordinary circumstances they will have no active duties to perform, and the Commissioners therefore do not think it necessary to recommend any allowance to these officers unless they are called into service.

(7.) When the Service Men are embodied and formed in Companies or Battalions, the proper number of Staff and Company Officers selected for their qualification and fitness shall be appointed.

(8.) It is of great consequence that a correct enrolment of the several classes of the Sedentary Militia be enforced, and it appears to the Commissioners that if the Commanding Officers of Battalions are instructed to direct the Company Officers and Serjeants of each company within the limits of their respective Battalions, to divide the labour of enrolment amongst them, the business would be better performed and much more correctly done, than by requiring each Militiaman to appear before his Captain and enrol himself.

(9.) Several representations have been made to the Commissioners with regard to the inconvenience resulting from the assembly of Militia Courts-martial, for the purpose of inflicting fines for breaches of the Militia Law, and they submit to Your Excellency their opinion that it is desirable to abolish such a course, and in lieu thereof, to make all fines liable to infliction and recovery before one Justice of the Peace, if the amount be under one pound, and before two Justices of the Peace if over that amount, unless in case the militia are embodied for service, when recourse must be had to Courts-martial.

(10.) There are certain portions of the Province more liable to invasion than others, and in case there should be a probability of war or invasion, it may not be desirable to retain the Armament of the Sedentary Militia in Armouries in those sections of the Province which are so situated as to be liable to sudden attack; but instead of allowing the Armaments to remain in such Armouries, it may be expedient to require the Sedentary Militia in such localities to be armed and equipped at once, in readiness to act against an enemy, without having in the first instance to repair to an Armoury and receive their equipment. The Commissioners therefore, beg to submit to Your Excellency, that it appears to them very desirable to have a clause introduced into the Militia Law requiring the Sedentary Militia, whenever called upon to do so, by due authority; to attend and receive Arms, Accoutrements, Ammunition, &c., and to give a bond for the safe custody of the same, similar to section 31, cap. 29, in the Militia Law of Nova Scotia.

(11.) They recommend that every Officer, in command of a Battalion, and every Officer, in command of a Company of Militia, who shall neglect to furnish such returns as may be required of the Battalions or Companies under their respective commands, be made liable to fine.

(12.) It has been suggested to the Commissioners that advantage should be taken to form a Corps of Provincial Engineers from the number of Civil Engineers, and their Assistants, Chainbearers, and others, now employed throughout the Province.

They concur in the suggestion, and recommend that a Company of Engineers be formed in every Military District, to consist of 1 Captain, 1 Lieutenant, 1 Second Lieutenant, and such number of men as can be conveniently enrolled, and be attached to the Sedentary Militia.

Armament of Sedentary Militia.

(13.) With respect to this important measure, the Commissioners recommend that application be made, in the first instance, to the Imperial Government, to supply the amount of Arms, Accoutrements, Ammunition, &c., which appear to them to be absolutely necessary to arm the Sedentary Militia so as to meet an invasion of the Province.

(14.) They are of opinion that not less than 50,000 stand of Percussion Arms, with a like number of Accoutrements and Ammunition in the proportion of 100 Rounds for each Musquet, should be deposited in the Armouries set

apart for the Sedentary Militia, for the immediate armament of that Force, and that a like amount should be retained in Stores at Kingston, Montreal, and Quebec, with reserves of Ammunition for Artillery and Infantry in due proportion.

These numbers may at first sight appear to be large, but when the extent of Frontier to be defended is taken into consideration, as well as the largely increased means of aggression which, since the last war, could be brought to bear against the Province, they submit that a less amount would not suffice for a successful defence.

The Imperial Government has fully recognized "the duty and responsibility" of affording protection to the Colonies against aggression, and has stated that "the strength of the Empire would be put forth in defence of any part of it which might be placed in jeopardy from such a cause;" and such being the views of the Home Government, the Commissioners have reason to hope that an application for the necessary armament of the Sedentary Militia would be met in the spirit of this declaration and be granted, for, without the assistance of the Militia of Canada, the Province could not be successfully defended, and it is of the greatest consequence to have all the requisite preliminary measures of defence perfected and in readiness in time of peace, so as to enable the Province, now that the number of Regular Troops is so much reduced, to be able to meet any emergency, and to prevent an enemy from getting any permanent footing in it before further aid could be obtained from England.

(15.) They recommend that Armouries and Magazines for the use of the Sedentary Militia be established at the several localities set forth in Schedule F. attached to this Report, for the Purpose of furnishing the Armament and Equipment to the Sedentary Militia in their respective Districts.

The Commissioners have in every practicable instance selected the public buildings in the Province as being applicable for Armouries and Magazines, bearing in mind that it is not desirable to place arms, &c. in situations exposed to sudden attacks. It, however, becomes necessary to place Armouries and Magazines in some localities where there are no public buildings available for such purposes, such as Peterborough, Guelph, and Hamilton, in Canada West, and at River-du-Loup, in Canada East.

(16.) They therefore recommend that in those places Armouries and Magazines be built, at the expense of the Province, of a fitting description, according to a plan and estimate of the probable cost of such buildings, which accompanies this Report, and that moreover a Gun Shed be erected at Hamilton, for the protection of the Field Battery of Artillery recommended to be established at that place.

(17.) The Commissioners are of opinion that sufficient force should be placed on permanent duty at Fort Wellington, Prescott, for the purpose of protecting that work and the arms, &c., proposed to be placed in it, in consequence of its proximity to the Frontier of the United States.

(18.) The Commissioners recommend to Your Excellency that a Storekeeper, with a daily rate of pay of 5s. and lodging in the Armoury, be appointed to take charge at each proposed Station, and who should also have the duty of issuing to the several Volunteer Corps in the District the amount of practice ammunition required for their annual practice, under such instruction as may be given by Your Excellency's orders.

(19.) They are impressed with the belief that great advantage will be derived by keeping in Stores a certain number of Great Coats for the use of the Sedentary Militia, in case that Force should be called into active Service.

These articles are, however, subject to a certain deterioration from Moths, &c., if kept for any number of years in Store, and the question is one of expense only, for the utility cannot be doubted, as the Sedentary Militia, if called out in the winter months, would be exposed to great privation, and their efficiency marred if not furnished with Great Coats. The Commissioners have therefore deemed it their duty to bring the subject under Your Excellency's notice, as one which demands attention in the event of there being at any time an interruption of our present friendly relations with the neighbouring States.

(20.) With reference to their recommendation that the Volunteer Force be inspected by Field Officers appointed and paid for such duties, the Commissioners beg leave to submit to Your Excellency, that they are of opinion much

CANADA.

advantage will be derived by the appointment of an Inspecting Field Officer for each section of the Province, viz.: one for Canada East and one for Canada West, whose duties should be to inspect the Volunteer Force in their Districts, to report on their efficiency, to attend to all measures connected with their drill, discipline, and organization, and through whose hands all correspondence should pass connected with these points, before being submitted to Head Quarters, and who, moreover, should be required to inspect the several Arsenals and Magazines in the Province, and report upon the condition of the Arms and other Public Stores belonging to it; officers selected for these duties should possess a thorough knowledge of the details of the service.

Provincial Marine.

In case of war the services of a Provincial Marine for the purpose of manning Gun Boats, of working Great Guns, as well as being trained to small arms, becomes of much importance to the defence of the Province.

The Commissioners, therefore, beg to recommend to Your Excellency, that there be appointed a Commodore of Provincial Marine, to rank as Lieutenant-Colonel of Militia; Captains and Lieutenants of Provincial Marine, to rank as Majors and Captains of Militia respectively.

Companies of Provincial Marine.

They recommend that Provincial Marine Companies be formed at the following localities, viz: Kingston, Cobourg, Toronto, Hamilton, Port Stanley, Dunville and Oakville.

The strength of these Companies to consist of 1 Captain, 1 Lieutenant, and 50 men each.

(25.) The Commissioners have made no suggestions relative to the General Staff of the Militia at Head Quarters, as they do not see a necessity for any alteration in the provisions of the present Militia Law of the Province on that head.

(26.) With regard to the additional expense of the measures connected with their recommendations respecting the Sedentary Militia, they beg to observe that the annual cost will be as follows, viz.:

	£	s.	d.
18 Assistant Adjutant-Generals of Districts at 30 <i>l.</i> each	540	0	0
15 Storekeepers in the several Armouries proposed to be established in the Province, at 5 <i>s.</i> per diem each	1,368	15	0
2 Inspecting Field Officers at 400 <i>l.</i> each, and Travelling Expenses extra	800	0	0
Total	2,708	15	0

(27.) The probable cost, as per estimate attached to this Report, of the 4 Armouries and Magazines recommended to be built, will be as follows, viz.:

	£	s.	d.
Armoury, Magazine and Gun Shed at Hamilton	1,820	0	0
Armouries and Magazines at Guelph, Peterboro', and Rivière-du-Loup, at £1,066 each, exclusive of the cost of the Sites for these Buildings	3,199	4	0
Total	£5,019	4	0

So that without taking into account the extraordinary expenses necessarily contingent on the first armament of the Volunteer Militia Force, and the building of Armouries and Magazines, which are first expenses only, the annual cost of the proposed Volunteer Force, and the Sedentary Militia, as set forth in this Report, will not exceed 24,000*l.*, a sum which perhaps will be considered moderate, when it is borne in mind that a Regiment of the Line, of 953 officers and men, costs about 43,000*l.* currency annually.

And moreover, it must be remembered that the Imperial Government are prepared to hand over to this Province a large and very valuable amount of Ordnance Lands, in consideration of the Provincial Government making ample provision for the ordinary defence of the Colony, and occupation, by a local force, of those posts which, in the event of war, require to be garrisoned by

British Troops, as will be shown by the succeeding portion of this Report on the subject of the surrender of the Ordnance Reserves in Canada.

(28.) With regard to the occupation of the posts referred to, viz: Isle-aux-Noix, St. Johns, Sorel, Three-Rivers, Bytown, Côteau-du-Lac, Fort Wellington, Toronto, Fort Missipagua, London, Chatham, Fort Malden, and Penetanguishine, by a local force as essential to the security of the buildings, &c., it appears to the Commissioners that 100 men would be a sufficient local force to take charge of these Forts and Barracks under ordinary circumstances, of which Fort Wellington should have 20 men, and Fort Missipagua 10, and Isle-aux-Noix 15; and the Commissioners consider that if their recommendations on the subject of a Police Force are carried into effect, the above number of men could be furnished from the Police for the protection of these points, and consequently there would be no necessity for the continuance of the Pensioner Force in Canada, for such Purposes; and with reference to the employment of that force for the preservation of the public peace, the Commissioners are of opinion that the proposed Volunteer Force, and the Police, will be ample for such purpose, and far more efficient, when these two Forces are established and in due operation; and therefore, after such is carried into effect, they do not recommend that the Pensioner Force be any longer paid by the Provincial Government for the performance of those duties.

Ordnance Lands in Canada.

The Commissioners, after an attentive consideration of a Despatch from the Secretary of State for the Colonies, which has been brought under their notice, in which an offer is made by the Imperial Government to surrender all the Military Reserves in the Province, with the exception of such portions of these Lands at Kingston, Montreal, and Quebec, as are essential to the Military defence of the Colony, in consideration of the Provincial Government making ample provision for the ordinary defence and protection of the Province—

They are unanimously of opinion that this offer should be accepted; and in order to carry out the conditions they recommend, with reference to a Report made on this subject by the Lieutenant-General commanding the Forces in Canada, that the Lands and Buildings at the several localities set forth in Schedule G. attached to this Report, be retained for the purposes of Military defence generally.

As however the whole of the Lands in the Schedule referred to will not be wanted for purposes of defence, the Commissioners recommend that such portions of these Lands as are not so required, together with the remaining Ordnance and Naval Lands in the Province, as set forth in Schedule H. attached to this Report, be sold, and the proceeds applied to form a Fund for the general defence of the Province.

Police Force.

In entering upon this branch of their inquiry, the Commissioners gladly avail themselves of the labours of the gentlemen appointed last year to inquire into the state of the Police at Quebec, from whose able report they propose to quote such parts as appear to them to coincide with their views, and to be applicable to the Province in general.

It will scarcely be denied that the Police Force at present existing in different parts of the Province is in anything but a satisfactory state; among the causes to which their inefficiency may be assigned, the Commissioners would point out the following:

(1.) The annual appointment of the men to the Force by the members of the Police Committee of the City Councils, instead of a regular system of enlistment by the Officers of the Force, and the uncertainty of constant employment arising from the frequent reductions and changes in the Force inseparable from civic management.

(2.) The practice of permitting the men to live among, instead of isolating them from, those against whom they may be required to act.

(3.) The want of Rules, Orders, and Regulations for the government of the Force and the guidance of the individuals belonging to it.

(4.) The entire absence of discipline, and of any means to enforce it, and of any power to encourage and reward the meritorious; and to punish the negligent and refractory.

(5.) The want of proper gradations of ranks, holding out the prospect of promotion to the deserving, and stimulating the men to acquire the practical knowledge and education requisite for the attainment of the higher grades.

(6.) The improper admixture of judicial and executive duties in the office of the Inspector and Superintendent of Police.

To remedy these evils, the Commissioners are of opinion that a Police Force for the whole Province should be organized, without delay, by the Government.

This Force should be armed, clothed, equipped, and lodged in Barracks; the men should be required to go to any part of the Province, and prevented as much as possible from acquiring local feelings or sympathies; they should be trained to such movements as would enable them to act effectively together in Streets or Fields, and accustomed to the use of arms, which should always be kept at their Barracks ready for use at any emergency, but not carried when on ordinary duty.

Every City or Municipality requiring Police should be supplied from this Force, the Government taking upon itself one third of the expense of the requisite number of officers and men; where an additional number may be required for a Water Police, the Port or Harbour Funds should contribute to the expense in the same proportions as the Cities and Municipalities.

This Force should be required to perform,—

(1.) All the duties of a Municipal Police for the City or Town in which they are employed; they should be instructed to pay due respect and attention to the Mayor, City Councillors, and other authorities of the place, and to render the Force more efficient for Municipal Service, their duties in this capacity should be very fully detailed in the rules and orders of the Corps.

(2.) The duties of River Police.

(3.) The charge of guarding the Jails, but not acting as Turnkeys.

(4.) Attendance upon the several Criminal Courts to perform the services now discharged by the Constables.

(5.) The service in the localities where they are quartered or employed, of all criminal or quasi-criminal process now performed by the Constables in the several Districts of the Province; and whenever fees of office are exigible from any public body or individual for such service, the same to be paid to and accounted for by the Officer in command on the spot, and is to form part of the Police Fund, and the service of all such processes should be by law confined exclusively to the Police in the locality where they are quartered.

(6.) The custody and conveyance of all Lunatics, Convicts, or other prisoners, to or from Gaols, Courts, and Lunatic Asylums.

(7.) The duties of Police in maintaining order on Public Works or those of incorporated Companies under the 8 Vict. cap. 6., and 14 & 15 Vict. cap. 76.

(8.) To occupy and take charge of the Posts and Barracks which in the arrangement made between the Imperial and Provincial Governments, it may be deemed necessary to maintain.

And such other duties or services as may, from time to time, be imposed upon or required from them, either by Legislative enactments or by the orders of the Secretary of the Province.

They should be expected to put down impartially all tumultuous disturbance, from whatever party or sect, political, national, or religious, they may proceed; the Officers should be responsible for all serious breaches of the peace, which should always be followed by Courts of Inquiry into the conduct of the Officer in command at the locality.

In order to remove the objection of the improper admixture of Judicial and Executive duties of the Inspectors and Superintendents already adverted to, the Commissioners are of opinion that the Stipendiary Magistrates should be wholly unconnected with the Police, but should exercise a judicial check upon the Force, in the same manner as the London Police Magistrates of the present day, and should be paid sufficiently to command the services of able men.

The Commissioners beg to call Your Excellency's attention to the accompanying tabular statement taken from the Report of the Commissioners appointed to inquire into the state of the Quebec Police, from which it appears that the total expense of Police and Constabulary in Canada East is about 26,000*l.* per annum, and from the best information they are able to obtain, they are of

opinion that the expense in Canada West, including the payment of the embodied pensioners, does not fall far short of 20,000*l*.

STATEMENT of the Expense of the Police and Constabulary in Lower Canada, for the year 1858, distinguishing by whom the same is paid:

Quebec Municipal Police, paid by Corporation of Quebec	-	-	-	£3,882	16	0
Do. River Police, paid by tax on Shipping, 14 & 15 Vict. cap. 25.	-	-	-	1,873	11	5
Do. Gaol Guard, paid by Government	-	-	-	893	3	0
Constabulary at Quebec, for service of process of Criminal Courts, paid by Government	-	-	-	1,030	13	8
Constabulary for attendance at Criminal Courts at Quebec, paid by Government	-	-	-	129	13	9
Inspector and Superintendent of Police at Quebec, paid by Government	-	-	-	300	0	0
Two Constables attending Police Office, and contingencies at Quebec, paid by Government	-	-	-	150	0	0
Approximate estimate of amounts paid by individuals for services of Criminal Process at Quebec	-	-	-	100	0	0
Total Expense attendant upon the above service at Quebec	-	-	-	£8,309	17	10
Montreal Municipal Police, paid by Corporation of Montreal	-	-	-	8,666	16	8
Do. Water Police, paid by Harbour Commissioners at Montreal	-	-	-	1,188	13	9
Do. Gaol Guard, £600, paid by Corporation, the balance by Government	-	-	-	924	0	0
Constabulary at Montreal, for service of process and attendance on Criminal Courts, paid by Government	-	-	-	1,082	15	0
Inspector and Superintendent of Police at Montreal, paid by Government	-	-	-	300	0	0
Constables attending at Police Office, Montreal, paid by Government	-	-	-	125	0	0
Approximate estimate of amount paid by individuals for service of Criminal Process by Constables, at or near Montreal	-	-	-	150	0	0
Total Expense for above services at Montreal	-	-	-	12,487	5	5
Sheriffs of different Districts in Lower Canada, for expense of transmitting Convicts to Provincial Penitentiary and Lunatic Asylum, paid by Government	-	-	-	385	8	0
Sheriffs—of St. Francis, £100, and Kamouraska, £187 7 <i>s</i> . 6 <i>d</i> . for Constables, paid by Government	-	-	-	287	7	6
High Constables—of Three Rivers, £300; St. Francis, £655; Ottawa, £263; Kamouraska, £89, for service of Warrants and Subpœnas, paid by Government	-	-	-	1,307	0	0
Expense of maintaining Police at or near Public Works and Railroad Works, under 8 Vict. cap. 6., and 14 & 15 Vict. cap. 76.	-	-	-	2,382	8	1
Total Expense of Police and Constabulary in Lower Canada	-	-	-	£26,059	6	10

The Commissioners are of opinion that this Force, to perform the duties required of it with efficiency, should be composed as follows:

1 Commissioner	-	-	-	£750	0	0
2 Clerks	-	-	-	250	0	0
Contingencies	-	-	-	50	0	0
	-	-	-	£1,050	0	0
1 Assistant Commissioner	-	-	-	500	0	0
1 Paymaster	-	-	-	300	0	0
1 Clerk	-	-	-	150	0	0
Contingencies	-	-	-	50	0	0
	-	-	-	500	0	0

CANADA.	7 Superintendents, three first-rate, at	-	-	-	£350	0	0	
	Four second-rate, at	-	-	-	300	0	0	
								£2,250 0 0
	12 Inspectors at	-	-	-	200	0	0	2,400 0 0
	20 Sergeants, per day	-	-	-	0	5	0	1,825 0 8
	350 Constables, per day	-	-	-	0	5	6	22,356 5 0
	150 Sub-Constables, per day	-	-	-	0	3	0	8,212 10 0
	Clothing, at £6 each man, 520 men	-	-	-	-	-	-	3,120 0 0
	Fuel, Light, &c.	-	-	-	-	-	-	1,300 0 0
	Forage of 21 Horses at 1s. 6d. per day	-	-	-	-	-	-	574 17 6
	Total	-	-	-	-	-	-	<u>£44,088 12 6</u>

To this amount of expenditure must be added the first expense of Arms and Accoutrements, which may be estimated at—

Purchase of 21 Horses at £25 each	-	-	-	£525
Saddlery, &c., &c., &c.	-	-	-	125
Arms and Accoutrements, at £4 each man	-	-	-	2,080
Total	-	-	-	<u>£2,730</u>

The Commissioner, Assistant Commissioner and Superintendents should hold Commissions from the Governor-General, and the other officers should hold Warrants from the Commissioner.

The first and most important duty of the Commissioners of Police will be to draw up, under the directions and subject to the approval of the Secretary of the Province, a complete Code, consisting first of Regulations for general government and discipline of the Force, their classification and rank, distribution and inspection, and the description of the Arms, Accoutrements and other necessaries to be furnished them; and secondly, of Rules and Orders for the particular guidance of the Sergeants, Constables and Sub-Constables, pointing out in detail the whole of their duties, powers, and responsibilities, with appropriate directions for their general conduct under all circumstances.

The Code should be printed in a portable form, and every member of the Force should be supplied with a copy.

Strict discipline should be maintained, and for this purpose, Constabulary Courts of Inquiry should be instituted, and in case of misconduct, such punishments as fines, suspension, or degradation from rank imposed, and in extreme cases the Commissioner should have the power to dismiss.

Any further detail should be left to the Commissioner of Police, whose attention should be called to the admirable organization of the English and Irish Police and Constabulary.

The Province should be divided into 7 Police Districts, with Head Quarters at the following places, viz:—Quebec, Montreal, Sherbrooke, Bytown, Kingston, Toronto, and London, to each of which a superintendent should be appointed with such a number of officers and men under his charge, as may from time to time be deemed necessary.

The Commissioners recommend that three Horses be attached to the Head Quarters of each District for Police purposes.

The Commissioners are of opinion that if the system of which they have given an outline, be adopted, Canada will possess a Body of Police who, by their activity and intelligence, will be able to prevent much crime; by their courage and discipline to put down any serious disturbance within, and by their training and thorough knowledge of the use of arms, in conjunction with the Volunteer Militia Force, repel any sudden aggression from without.

It is not improbable that the suggestions which the Commissioners have thought it their duty to make, may meet with some opposition from the Municipal Corporations, who have hitherto had the appointment and control of the Police; they would, however, point to the deplorable events which have within a short period taken place in two of the principal Cities in the Province, to show the utter inefficiency of the Police under the present system, either to repress outrages or to bring to punishment the perpetrators; and they confidently believe that the people at large will hail with delight a change, which, judging from the success that has attended the working in the Mother

Country, of a system similar to that now proposed for this Province, cannot fail to add security of person and property to the many blessings already enjoyed by the inhabitants of this favoured portion of Her Majesty's Dominions.

The Commissioners having given their best consideration to the important matters submitted to them by Your Excellency, indulge in the hope that their Report has embraced the most prominent points to be considered, although, very possibly, some may have escaped their notice, and they trust that the measures they have now submitted, will meet with Your Excellency's approbation, and prove acceptable to the Country generally.

(Signed)

ALLAN N. MACNAB,

E. P. TACHE,

T. EDMUND CAMPBELL,

GEORGE FREDERICK DE ROTTENBURG, Colonel,

Assistant Quarter-master General in Canada.

Quebec, 19th February 1855.

SCHEDULE A.

SHOWING proposed Localities for the Volunteer Force in Canada, and the Number of Troops, Companies, &c., at each.

Localities.	Number of Troops of Cavalry.	Number of Field Batteries of Artillery.	Number of Companies of Foot Artillery.	Number of Companies of Infantry.	Number of Men.
CANADA EAST.					
1. Quebec	1	1	1	1	221
2. Three Rivers				1	50
3. Sherbrooke	1			1	100
4. Sorel				1	50
5. Berthier				1	50
6. St. John	1			1	100
7. St. Hyacinthe				1	50
8. Stanstead				1	50
9. Chambly				1	50
10. Odeltown				1	50
11. Henryville				1	50
12. Montreal	1	1		2	221
13. Côteau-du-lac			1		50
14. Nicolet				1	50
15. Ste. Marie	1			1	100
16. St. Thomas				1	50
17. Ste. Anne				1	50
18. Rivière du Loup				1	50
19. Rimouski				1	50
20. Eboulements				1	50
21. Deschambault				1	50
	5	2	2	21	1,542
CANADA WEST.					
1. Bytown		1		2	171
2. Cornwall				1	50
3. Prescott	1			1	50
4. Brockville				1	100
5. Kingston	1	1		1	171
6. Belleville				1	50
7. Napanee				1	50
8. Cobourg	1			1	100
9. Port Hope				1	50
10. Toronto	1	1		2	221
11. Hamilton	1	1		1	171
12. St. Catharines	1			1	100

Schedule A—continued.

Localities.	Number of Troops of Cavalry.	Number of Field Batteries of Artillery.	Number of Companies of Foot Artillery.	Number of Companies of Infantry.	Number of Men.
13. Niagara - - - -	-	-	1	-	50
14. Brantford - - - -	-	-	-	1	50
15. London - - - -	1	1	-	1	171
16. Chatham - - - -	-	-	-	1	50
17. Amherstburg - - - -	-	-	1	-	50
18. Woodstock - - - -	1	-	-	1	100
19. Paris - - - -	-	-	-	1	50
20. Simcoe - - - -	1	-	-	-	50
21. Dunville - - - -	-	-	-	1	50
22. Galt - - - -	-	-	-	1	50
23. Guelph - - - -	-	-	-	1	50
24. Peterborough - - - -	-	-	-	1	50
25. Penetanguishine - - - -	-	-	-	1	50
26. Picton - - - -	1	-	-	1	100
27. Perth - - - -	-	-	-	1	50
28. Sandwich - - - -	1	-	-	1	100
29. Dundas - - - -	-	-	1	-	50
30. Port Sarnia - - - -	-	-	-	1	50
31. Barrie - - - -	-	-	-	1	50
Total Canada West - - - -	11	5	3	29	
In Canada East - - - -	5	2	2	21	
Grand total - - - -	16	7	5	50	4,047

Recapitulation.

16 Troops of Cavalry at 50 each Troop	-	-	-	800
7 Field Batteries of Artillery at 71 men each	-	-	-	497
55 Companies of Infantry and Foot Artillery at 50 men each	-	-	-	2750
Total number of men	-	-	-	<u>4047</u>

SCHEDULE B.

Form of Receipt for Arms, Accoutrements, &c., to be signed by the Captain or Officer commanding a Troop or Company of Volunteer Militia, and to be transmitted to the Adjutant General of Militia.

Here insert the name of the Troop or Company.

Received from the Provincial Government (here insert the number of each article of Arms, Accoutrements, Ammunition, or other Stores) for the use of the Troop, Field Battery of Artillery, or Company of Foot Artillery or Infantry, as the case may be, under my command, and I hold myself responsible for the preservation of any portion of the said articles which may not be issued to the men or otherwise placed in Store, in charge of the person appointed to keep such articles by the Government, in case such articles should be directed to be left in my charge, and an allowance made to me by the Government for their safe custody and storage.

Dated at this day of 185 .
(Signed) . Captain.

Form of Service Roll of Troop of Cavalry, Field Battery or Foot Company of Artillery, or Company of Infantry of Volunteer Militia.

We, whose names are hereunto subscribed, declare that we voluntarily agree to serve in (here specify the name and description of the Troop, Field Battery, or Company, as the case may be), under the conditions of service sanctioned by the Governor General for the

Government of the Volunteer Militia Force of Canada, as set forth in Militia General Orders, dated 185 , and the Militia Laws of the Province, until we give the Officer commanding it regular notice in writing of our intention to retire from it; that unless unavoidably prevented, we will attend at the times and places appointed for drill days in each year; that we will duly preserve and be responsible for the Arms, Ammunition, and Accoutrements which may be issued to us and inserted in this present Roll opposite to our respective signatures; and that we will not use the Arms or Stores committed to our charge except on the public service, and that we will deliver them over in a serviceable condition whenever we shall be required to do so by an order from the Captain or other Officer commanding the Troop or Company we belong to.

Signature of Volunteer.	Date of Entry.	Mark and number of Arms and Accoutrements,	Sabre and Belt.	Pouch and Belt.	Pistols.	Holsters.	Carabine and Sling.	Rifle and Sling.	Bayonet and Scabbard.	Belt and Pouch.	Rounds of Ammunition.	Signature of Captain.	Signature of Witness.
John Jones	Jan. 1.	A	1	1	1	1	-	-	-	-	10	John Brown.	T. Smith.
Wm. Edwards	June 5.	C	-	-	-	-	-	1	1	1	60	J. Webster.	E. Hill.
A. Monkton	July 10.	D	-	-	-	-	1	-	1	1	36	E. James.	R. Johnson.

SCHEDULE C.

ESTIMATE of the probable annual Cost of Pay and Allowances to the Volunteer Militia of Canada.

Cavalry Troops.

Officers and Men.	Daily Pay and Allowances.	Pay and Allowances for 20 days' Drill.	Annual Cost.
	£ s. d.	£ s. d.	
1 Captain -	0 10 6	5 5 0	
1 Lieutenant -	0 7 6	3 15 0	
1 Cornet -	0 6 6	3 5 0	
50 Non-commissioned Officers and Men at 5s.	12 10 0	125 0 0	
Allowance for 53 Horses at 5s. each Horse	13 5 0	132 10 0	
1 Drill Instructor -	0 7 6	3 15 0	
	£27 7 0	273 10 0	

16 Troops in Canada East and West at £273 10s. each - - - £4,376 0 0

Officers and Men.	Daily Pay and Allowances.	Pay and Allowances for 10 days' Drill.	Annual Cost.
	£ s. d.	£ s. d.	
1 Captain -	0 10 6	10 10 0	
2 1st Lieutenants -	0 15 0	15 0 0	
1 2nd Lieutenant -	0 6 6	6 10 0	
70 Non-commissioned Officers and Men at 5s. each	17 10 0	350 0 0	
Allowance for 56 Horses at 5s. each Horse	14 0 0	280 0 0	
Allowance to Sergeant Major -	-	-	50 0 0
	£33 2 0	662 0 0	712 0 0

7 Field Batteries in Canada East and West at £712 each - - - £4,984 0 0

CANADA.

Foot Companies of Artillery and Companies of Infantry.

Officers and Men.	Daily Pay and Allowances.	Pay and Allowances for 10 days' Drill.	Annual Cost.
	£ s. d.	£ s. d.	
1 Captain - - - - -	0 10 6	5 5 0	
1 Lieutenant - - - - -	0 7 6	3 15 0	
1 2nd Lieutenant or Ensign - - - - -	0 6 6	3 5 0	
50 Non-commissioned Officers and Men at 5s. each - - - - -	12 10 0	125 0 0	
1 Drill Instructor - - - - -	0 7 6	3 15 0	
	£14 2 0	141 0 0	
55 Companies of Foot Artillery and Infantry in Canada East and West at £141 each Company - - - - -			£7,755 0 0

Recapitulation.

ANNUAL Expense of proposed Volunteer Force of Canada.

Cavalry - - - - -	£ s. d.	4,376 0 0
Field Batteries of Artillery - - - - -		4,984 0 0
Foot Companies of Artillery and Infantry - - - - -		7,755 0 0
Total Annual Cost of Pay and Allowances - - - - -		17,115 0 0
Add on first Formation of Force the Allowance to 4,047 Non-commissioned Officers and Men for Clothing, at £2 each man - - - - -		8,094 0 0
Total Cost first Year of Enrolment, including Pay Allowances, and Clothing		25,209 0 0

SCHEDULE D.

SHOWING the probable Cost of the Armament of the Proposed Volunteer Force in Canada.

Equipment of Cavalry Troops.

Cavalry Sword - - - - -	£ s. d.	0 19 6	£ s. d.
Holsters and Straps - - - - -		0 13 6	
Pistols - - - - -		1 5 0	
Pouch Belts, &c. - - - - -		0 11 6	
Sterling - - - - -		3 9 6	
800 Cavalry at £3 9s. 6d. sterling each man - - - - -			2,780 0 0
Foot Companies of Artillery.			
Fusils and Bayonets - - - - -	£ s. d.	3 0 0	
Accoutrements - - - - -		0 9 11	
Sterling - - - - -		£3 9 11	
5 Companies Foot Artillery, 250 men at £3 9s. 11d. sterling - - - - -			873 19 2
Infantry Companies.			
Minié Musquet - - - - -	£ s. d.	3 10 0	
Accoutrements - - - - -		0 9 11	
Sterling - - - - -		£3 19 11	
50 Infantry Companies, 2,500 men at £3 19s. 11d. sterling - - - - -			9,989 11 8
Total Cost of Armament, sterling - - - - -			13,643 10 10

SCHEDULE E.

CANADA.

CANADA EAST.

SHOWING the proposed Military Divisions of Canada East, the approximate Number of Male Population in each Division from 18 to 40 Years of Age, the Number of Battalions of Sedentary Militia in each Division, and the approximate Number of Bachelors from 18 to 40 Years of Age in each Division.

Number of Military Divisions.	Counties composing said Divisions.	Approximate Number of Male Population from 18 to 40 years of age.	Number of Battalions in each Division.	Approximate Number of Bachelors in each Division from 18 to 40 years of age.
1	Gaspé, Bonaventure, Magdalen Islands.	3,869	6	2,212
2	Rimouski, Témiscouata, Kamouraska, l'Islet, Montmagny, Bellechasse.	13,423	16	8,377
3	Lotbinière, Lévis, Dorchester, Mégantic, Beauce	11,551	13	5,670
4	Yamaska, Richelieu, St. Hyacinthe, Bagot, Rouville, Iberville.	14,637	20	6,674
5	Nicolet, Drummond, Arthabaska, Wolfe, Sherbrooke, Compton, Shefford, Stanstead, Missisquoi.	16,064	19	8,220
6	Beauharnois, Huntingdon, Laprairie, Verchères, Chambly, Chateauguay, Napierville, St. Johns.	18,403	22	9,199
7	Chicoutimi, Tadoussac, Saguenay, Montmorenci, Quebec, County and City, Portneuf, Champlain.	21,303	27	10,585
8	St. Maurice, Trois-Rivières, Maskinongé, Berthier, Joliette, Montcalm, l'Assomption, Terrebonne, Laval.	18,916	23	9,067
9	Pontiac, Ottawa, Argenteuil, Two Mountains, Vaudreuil, Soulanges, Island and City of Montreal.	26,178	36	12,923
		144,344	182	72,927

CANADA WEST.

SHOWING the proposed Military Divisions of Canada West, the approximate Number of Male Population in each Division from 18 to 40 Years of Age, the Number of Battalions of Sedentary Militia in each Division, and the approximate Number of Bachelors from 18 to 40 Years in each Division.

Number of Military Divisions.	Counties composing said Divisions.	Approximate Number of Male Population from 18 to 40 years of age.	Number of Battalions in each Division.	Approximate Number of Bachelors in each Division from 18 to 40 years of age.
1	Renfrew, Lanark, Carleton, Russell, Prescott, and Ottawa City.	16,825	21	10,445
2	Leeds, Grenville, Dundas, Stormont, Glengarry, and Prescott Town.	18,886	28	11,590
3	Hastings, Prince Edward, Frontenac, Lennox, Addington, and Kingston City.	22,003	21	12,644
4	Victoria, Durham, Peterboro', Northumberland, and Cobourg Town.	18,976	21	10,954
5	Simcoe, Peel, York, Ontario, and Toronto City	34,534	39	20,523
6	Huron, Perth, Bruce, Waterloo, Wellington, Grey and Guelph Town.	20,885	29	11,391
7	Haldimand, Lincoln, Welland, Wentworth, Halton, and Hamilton City.	27,185	27	15,932
8	Middlesex, Elgin, Oxford, Norfolk, Brant, and London City.	31,093	32	18,508
9	Essex, Kent, Lambton, and Chatham Town	9,312	19	5,346
		199,699	237	117,332

CANADA.

SCHEDULE F.

PROPOSED Localities in the Province for the Establishment of Armouries and Magazines for the Armament of the Sedentary Militia.

Proposed Localities for Armouries and Magazines.	Remarks.
CANADA EAST.	
Quebec, Three Rivers, Rivière-du-Loup - - -	An Armoury and Magazine required to be built.
Sorel, St. Johns, Montreal.	
CANADA WEST.	
Bytown, Prescott, Kingston, Peterborough - - -	Do. do.
Toronto, Guelph - - -	Do. do.
Hamilton - - -	Do. do. and a Gun Shed.
London, Chatham.	

SCHEDULE G.

SHOWING the Ordnance Lands in Canada which should be retained generally for Purposes of Defence, but specifying at what Localities Portions of these Lands may be sold.

Localities.	Description of Buildings.	Amount of Acres.	Remarks.
Sorel and Islands - - -	Barrack, Cottage and Seigniorie.	Acs. pch. ft. 45,000 0 0	Rented for 875 <i>l.</i> annually, greater part may be sold.
Isle-aux-Noix and South River	Fort - - -	295 0 0	Rented for 218 <i>l.</i> 5 <i>s.</i>
Côteau-du-Lac - - -	Fort and Barracks -	15 3 39	
Fort Wellington (Prescott) -	Fort - - -	74 0 0	Rented for 39 <i>l.</i> 10 <i>s.</i> 10 <i>d.</i>
Toronto, Site of Old Fort and New Barracks.	Old Fort and Barracks.	502 3 0	Portions may be sold, Site of Old Fort and Barracks to be retained, rented for 8 <i>l.</i> 12 <i>s.</i> 6 <i>d.</i>
Fort Mississagua, Niagara -	Fort and Barracks -	444 2 14	Rented for 59 <i>l.</i> 1 <i>s.</i> 8 <i>d.</i> , portions may be sold.
Reserve at Burlington Bay -	- - -	178 0 0	50 acres under lease.
Land at Short Hills - - -	- - -	200 0 0	Rented for 47 <i>l.</i> 5 <i>s.</i> 2 <i>d.</i>
Site of Old Fort Erie - - -	Ruins of Fort -	1,000 0 0	Location of Pensioners.
Port Maitland - - -	- - -	426 0 0	Portions may be sold.
Penetanguishene, and Saw and Grist Mills at Mundy's Bay.	Barracks, Magazine Reserve, &c.	5,396 0 0	Location of Pensioners, portions may be sold.
Madawaska - - -	Blockhouse - -	24 3 6	
Temiscouata and Little Falls -	Stockade & Barrack	11 2 13	
Laprairie - - -	Barrack - - -	42 1 8	Revertible to Corporation of Laprairie.
St. John's - - -	Barrack Fort - -	176 0 0	Rented for 84 <i>l.</i> 5 <i>s.</i> 3 <i>d.</i>
Chateauguay - - -	Blockhouse - -	5 0 1	
Chambly - - -	Fort and Barracks -	157 1 22	Rented for 30 <i>l.</i> 15 <i>s.</i> 5 <i>d.</i>
Philipsburgh - - -	Blockhouse - -	0 2 32	
Blockhouses on Ottawa Canals, viz.: at Kingston Mills, Jones' Falls, Whitefish Dam, Isthmus, Narrows, Merrickville.			
Site of Fort George, Niagara	- - -	442 0 0	Portions may be sold.
Queenston - - -	Barrack - - -	175 0 0	Ditto.
Chippewa - - -	Barrack - - -	19 3 27	
London - - -	Barrack - - -	74 0 0	Location of Pensioners.
Chatham - - -	Barracks - - -	11 3 8	Let for 42 <i>l.</i> 6 <i>s.</i> 7 <i>d.</i>
Amherstburg - - -	Fort Malden - -	311 0 0	Location of Pensioners.
Isle Bois Blanc - - -	3 Blockhouses -	212 0 0	Let for 44 <i>l.</i> 15 <i>s.</i> 9 <i>d.</i>
Windsor - - -	Barrack - - -	4 0 0	Let for 5 <i>l.</i> 6 <i>s.</i> 10 <i>d.</i>

Schedule G—(continued.)

CANADA.

Localities.	Description of Buildings.	Amount of Acres.	Remarks.
Point Edward, Sarnia	- - -	Acrs. pch. ft. 640 0 0	A large portion under licence of occupation required for terminus of G. T. Railway, and ordered to be so disposed by Secretary of State.
Owen Sound, Sydenham	- - -	51 0 0	
Nottawasaga Bay	- - -	66 0 0	
Three-Rivers	Barrack - - -	3 2 0	Required for an Armoury and Magazine.
Bytown	Barrack - - -	415 0 0	Rented for 1,718 <i>l.</i> , required for Armoury and Magazine, but portions may be sold.
Total	- - -	56,375 1 10	

SCHEDULE H.

LOCALITIES OF Ordnance and Naval Lands in Canada not required for Purposes of Defence, and which may be sold.

Localities.	Amount of Acres.	Remarks.
ORDNANCE LANDS.		
Logan's Farm, Montreal	A. R. P. 115 0 0	Bought for Barracks and not now required.
Land at Longueuil	198 0 0	Bought for Site of Tête de Pont, not now required in consequence of Victoria Bridge being a mile higher up St. Lawrence.
Herchmer's Farm, Kingston	180 3 4	Bought for Fortifications, not now required in the opinion of the Commissioners.
Cedars	0 2 0	Revertible to Seigneur.
Cascades	9 0 12	Ditto.
Cornwall	1 0 0	
Cape Vesey, Prince Edward	1,260 0 0	
Green Point, Bay of Quinté	100 0 0	
Lyon's Creek	3 1 0	
Navy Island	304 0 0	
Turkey Point	592 0 0	Ruins of Blockhouse, which cost 40,000 <i>l.</i>
Rondeau	500 0 0	
Fighting Island, Detroit River	1,200 0 0	
St. Joseph, with Neebish Island, Lake Huron.	450 0 0	
Ste. Mary's Island, Lake Huron	170 0 0	
NAVAL LANDS.		
Mouths of Grand River	219 0 0	
Pointe-au-Barbet	48 2 32	
Baie Mohawk	20 0 0	
Penetanguishine	389 0 0	Occupied by enrolled Pensioners.
Gwillimbury, Lots 49, 50, 51, 52, Meadow-street.	4 0 0	
Point Pele and Island	3,000 0 0	
Vespra, county Simcoe, Lot 13, 11th Concession.	200 0 0	
Island St. Joseph, Lot 1 in 1st and 2d Concessions.	500 0 0	
Milford Haven, South Half of Lot 6 in 9th Concession.	106 0 0	
Total	9,568 8 48	

No. 27.

CAP. LXXVII.

An Act to regulate the Militia of this Province, and to repeal the Acts now in force for that Purpose.

[Assented to 19th May, 1855.]

WHEREAS it is expedient to repeal the Acts relative to the Militia of this Province, with a view to their amendment and adaptation to the actual position and circumstances of the Country, and to their re-enactment as so amended: Be it therefore enacted by the Queen's Most Excellent Majesty,

CANADA.

by and with the advice and consent of the Legislative Council, and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "An Act to re-unite the Provinces of Upper and Lower Canada, and for the government of Canada," and it is hereby enacted by the authority of the same, as follows :

I. The Act passed in the ninth year of Her Majesty's Reign, and intituled "An Act to repeal certain Laws therein mentioned, to provide for the better defence of this Province, and to regulate the Militia thereof;" and the Act passed in the Session held in the thirteenth and fourteen years of Her Majesty's Reign, and intituled "An Act to continue for a limited time therein mentioned, the Act for the better defence of the Province, and to regulate the Militia thereof;" and the Act passed in the Session held in the fourth and fifth years of Her Majesty's Reign, and intituled "An Act to amend the Militia Law of that part of this Province formerly constituting the Province of Upper Canada;" and the Act passed in the twelfth year of Her Majesty's Reign, and intituled "An Act to amend the Militia Law of this Province, in so far as regards the enrolment of, and fines imposed upon Quakers, Mennonists and Tunkers;" and the Act passed in the year of Her Majesty's Reign last aforesaid, and intituled "An Act to alter the day on which the Militia shall annually assemble for muster and discipline in Upper Canada," shall be and the said Acts are hereby repealed; but all Acts and Laws repealed by the said Acts or any of them shall nevertheless remain repealed; and all offences committed against them or any of them before this Act shall come into force, shall and may be prosecuted and punished after this Act shall come into force, under the said Acts and Laws, which shall remain in force as to such offences.

The Act- 9 Vict.
c. 28.

13 & 14 Vict.
c. 11.

4 & 5 Vict. c. 2.

12 Vict. c. 88.

12 Vict. c. 89.
repealed;

But Acts repealed
by them to re-
main repealed, &c.

Governor to be
Commander-in-
Chief of Militia.

Two classes of
Militia.

II. The Governor or other person administering the Government of this Province, for the time being, shall by virtue of his Office be Commander-in-Chief of the Provincial Militia.

III. The Provincial Militia shall be divided into two classes, Sedentary and Active.

Sedentary Militia.

Of whom to be
composed.

IV. The Sedentary Militia shall consist of all the male inhabitants of the Province of the age of eighteen years or upwards and under sixty, not exempted or disqualified by law.

Divided into Ser-
vice men, and
Reserve men.

V. The Sedentary Militiamen shall be divided into two classes, to be called respectively Service men and Reserve men; the Service men shall be those of eighteen years of age and upwards, but under forty years, and the Reserve men shall be those of forty years of age and upwards, but under sixty years.

In time of Peace
Sedentary Militia
to be enrolled, and
Service men mus-
tered once a year.

VI. In time of peace, no actual service or drill shall be required of the Sedentary Militia, but they shall be carefully enrolled from time to time; and the Service men not exempted from muster, shall also assemble for muster annually, at such place and hour, in such manner and for such purposes, as the Commanding Officer of each Battalion shall direct with respect to each Company therein; the muster day being in Lower Canada the twenty-ninth of June, and in Upper Canada the Queen's Birthday, or if that day fall on a Sunday, then the day next thereafter.

Exemptions from
enrolment and
service in any
case.

VII. The following persons only between the ages of eighteen and sixty as aforesaid, shall be exempt from enrolment and from actual service in any case :

The Judges of the Superior Courts of Law or Equity in Upper and Lower Canada;

The Judge of the Court of Vice-Admiralty;

The Judges of the Circuit and County Courts;

The Clergy and Ministers of all Religious denominations;

The Professors in any College or University, and all teachers in religious orders;

The Warden, Keepers and Guards of the Provincial Penitentiary.

Exemptions from
muster and from
service except in
case of war, &c.

And the following, though enrolled, shall be exempt from attending muster and from actual service at any time except in case of war, invasion or insurrection :

The Reserve Men;

The Members of the Executive and Legislative Councils;

- The Members of the Legislative Assembly;
- The Officers of the said Councils and Assembly respectively;
- The Attorneys and Solicitors General;
- The Provincial Secretary and Assistant Secretaries;
- All Civil Officers who shall have been appointed to any Civil Office in this Province under the Great Seal;
- All persons lawfully authorized to practise Physic or Surgery;
- All Advocates, Barristers, Solicitors and Attorneys;
- Notaries in Lower Canada;
- Half-pay and Retired Officers of Her Majesty's Army or Navy;
- Postmasters and Mail Carriers;
- Seafaring Men actually employed in their calling;
- Masters of Public and Common Schools actually engaged in teaching;
- Ferry-men;
- One Miller for each run of stones in every Grist Mill;
- Keepers of public Toll-Gates;
- Lock Masters and Labourers employed in attending to Locks and Bridges on public Canals;
- The Engine Drivers, Conductors and Switchmen connected with the several Railways actually in use in this Province;
- Members of Fire Companies and of Hook and Ladder Companies;
- Jailers, Constables and Officers of Courts of Justice, not being such solely by virtue of their being non-commissioned Officers of Militia;
- Students attending Seminaries, Colleges, Schools and Academies, who have been attending such at least six months previous to the time at which they claim such exemption;
- All Persons disabled by bodily infirmity.

All persons bearing Certificates from the Society of Quakers, Mennonists and Tunkers, or any Inhabitant of this Province, of any Religious denomination, otherwise subject to Military duty in time of peace, but who from the doctrines of his Religion, shall be averse to bearing arms, and shall refuse personal Military Service, shall be exempt therefrom. Quakers, Mennonists, &c.

But such exemption shall not prevent any person from serving or holding a Commission in the Militia, if he desire it and be not disabled by bodily infirmity: And no person shall have the benefit of such exemption, unless he shall, at least one month before he shall claim such benefit, have filed his claim thereto, with his affidavit before some Magistrate of the facts on which he rests his claim, with the Commanding Officer of the Company within the limits whereof he resides: And whenever exemption is claimed, whether on the ground of age or otherwise, the burden of proof shall always be upon the claimant. Exemption not to be disqualification.
How to be claimed.

VIII. With a view to actual service in case of war, invasion or insurrection, the Service men shall be divided into two classes, to be called respectively, first-class Service men and second-class Service men; the first class to consist of unmarried men and widowers without children, and the second class of married men and widowers with children. Service men divided into two classes.

IX. When the Sedentary Militia are called out in case of war, invasion or insurrection, those first taken for actual service, shall be volunteers from the Service men, then the first-class Service men, then the second-class Service men, and lastly the Reserve men. Order in which they shall be taken for actual service.

X. The Commander-in-Chief shall have power from time to time, by any Militia General Order, to divide the Province into eighteen Military Districts, to be designated as he shall see fit, nine to be in Upper Canada and nine in Lower Canada. Eighteen Military Districts to be formed.

XI. The Commander-in-Chief shall have power from time to time, by any Militia General Order, to divide the Military Districts respectively into Regimental divisions, and the Regimental divisions into Battalion divisions, and to designate such divisions by such names or numbers as he shall see fit. Also Regimental and Battalion divisions.

XII. The Militiamen resident in each Battalion division shall form a Battalion of the Regiment of the Regimental division in which it lies, and all the Battalions in any Regimental division shall form the Regiment thereof. What men shall form the Regiments and Battalions.

XIII. To each Military District a Colonel shall be appointed, who shall command the Militia in such District, and to each Battalion a Lieutenant-Colonel, and such number of Majors and Regimental Staff Officers as may be deemed necessary. Officers of Regiments and Battalions.

Company divisions to be formed.

XIV. Each Lieutenant-Colonel shall have power, by any order made with the approval of the Colonel of the Military District, from time to time to divide his Battalion division into Company divisions, each containing, as nearly as may be conveniently practicable, not less than fifty nor more than seventy-five resident Service men; and the Militiamen resident within each Company division shall form a Company of the Battalion.

Existing divisions to remain unaltered.

XV. All now existing Militia divisions shall remain in force until altered as aforesaid, and such of them as shall be allowed to remain unaltered shall be held to have been made by the proper authority under this Act, and for the purposes thereof.

Officers and non-Commissioned Officers of Companies.

XVI. To each Company of Militia there shall be appointed of Commissioned Officers, a Captain, a Lieutenant, and an Ensign; and of non-Commissioned Officers, three Serjeants and three Corporals.

Enrolment how to be made by Officers.

XVII. The enrolment of the Sedentary Militiamen shall be made in each Company division by the Captain thereof, with the assistance of the Officers and non-Commissioned Officers of the Company; and it shall be the duty of the Captain, and, under his orders, of the other Officers and non-Commissioned Officers of the Company, by actual inquiry at each house in the Company division, and by every other means in their power, to make and keep at all times a correct Roll of the Company in such form as shall be directed by the Adjutant General.

Militiamen bound to give in their names, &c.

XVIII. It shall also be the duty of each man liable under this Act to be enrolled in any Company, and not so enrolled, to give in his name, age and place of residence, in writing, to the Captain or Officer commanding such Company, within twenty days after he shall become so liable, whether by the passing of this Act, the alteration of any Militia division, change of residence, or otherwise howsoever.

Rolls of Companies to be made annually, also Returns of Battalions.

XIX. The Officer commanding a Sedentary Company of the Militia shall within twenty days after the annual muster day for such Company, make out a corrected Roll thereof, and transmit a certified copy thereof to the Officer commanding the Battalion, who within forty days after such muster, shall forward a correct Return of the Battalion under his command to the Assistant Adjutant General of the Military District, to be laid before the Colonel commanding the same; and the said Return shall then be transmitted by the Assistant Adjutant General, under the orders of the said Colonel, to the Adjutant General at Head Quarters.

Company Rolls to be corrected from time to time.

XX. Each Company Roll shall be corrected from time to time as changes occur which affect it, and every householder and resident in the Company division, and every Assessor, Town Clerk, or other Municipal Officer, shall be at all times bound to give to the Commanding Officer or any Officer or non-Commissioned Officer of the Company, such information as may be required to make such corrections, and to answer all such questions as any of them may pertinently put to him for the purpose of obtaining such information; and every Militiaman shall be bound to inform the Officer commanding the Company, in writing, of any change of residence or other circumstances affecting such Militiaman, by which the Roll of any Company shall be affected, whether such Militiaman shall come into or leave the Company division for which the Roll is made.

Duty of Householders, &c. to give all information requisite.

And of Militiamen.

Active or Volunteer Militia Companies.

Volunteer Companies to be formed.

XXI. The Active Militia of the Province in time of peace, shall consist of Volunteer Troops of Cavalry, field Batteries, foot Companies of Artillery, and Companies of Infantry armed as Riflemen, to be formed at places to be designated by the Commander-in-Chief, but not exceeding in the whole sixteen Troops of Cavalry, seven field Batteries of Artillery, five foot Companies of Artillery, and fifty Companies of Riflemen: the total of such Volunteer Corps not exceeding five thousand Officers and Men.

Of what to consist.

Total limited.

Force of Volunteer Companies, respectively.

XXII. Each Volunteer Troop of Cavalry, Company of Foot Artillery, or Company of Riflemen, shall consist of a Captain, a Lieutenant, a Cornet, Second Lieutenant or Ensign, three Serjeants, three Corporals, a Trümpeter or Bugler, and not exceeding forty-three Privates, except in Companies of Riflemen wherein the number of Privates may be any number from forty-three to seventy-five; and each Field Battery of Artillery shall consist of a Captain, two first Lieutenants, a Second Lieutenant, a Serjeant Major, three Serjeants, three

Corporals, three Bombardiers, a Trumpeter, a Farrier, fifty-nine gunners and Drivers, including Wheelers, Collarmaker, and Shoeing-smith, fifty-six horses, exclusive of Officers' horses, and of four spare horses when the Battery is called into actual service.

XXIII. A Volunteer Marine Company may be formed at each of the following places, Kingston, Cobourg, Toronto, Hamilton, Port Stanley, Dunnville and Oakville: each Company to consist of a Captain, a Lieutenant, and fifty men: and a Commodore of Provincial Marine may be appointed to command the whole and to rank as a Lieutenant-Colonel of Militia; Captains in the Provincial Marine shall rank as Majors in the Militia, and Lieutenants as Captains in the same.

Volunteer Marine Companies may be formed at certain places.

XXIV. The said Marine Companies shall be armed in such manner as the Commander-in-Chief shall direct, and shall be trained and drilled as well to the use of small arms, as in the management of gun-boats and vessels, and the working of great guns on board vessels.

How to be armed and drilled.

XXV. 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: but such Companies shall not be subject to drill or to service in time of peace.

Volunteer Company of Engineers.

XXVI. All Volunteer Companies shall be formed and may be disbanded by authority of the Commander-in-Chief, as may in his opinion best tend to further the purposes of this Act and the public good.

On what authority formed and disbanded.

XXVII. The arms and accoutrements of the officers and men of the several Volunteer Companies, shall be such as the Commander-in-Chief shall from time to time direct, but of the best and most serviceable kind, without unnecessary ornament: such arms and accoutrements shall be furnished to the non-Commissioned Officers and privates of the said Volunteer Corps at the expense of the Province, but shall always remain Provincial property, and the parties receiving them shall be accountable for them; and the Commander-in-Chief may direct such security as he may think proper to be taken for the safe-keeping in good order of such Arms and Accoutrements, and the re-delivery thereof to such Officer as may be appointed to receive them, whenever the Commander-in-Chief shall for any purpose direct such re-delivery.

Arms, &c., of Volunteer Companies.

To be furnished by the Province, except to Officers; Security may be taken for safe keeping, &c.

XXVIII. The said arms and accoutrements shall be renewed and kept in repair at the cost of the Province, whenever such renewal or repair shall become necessary from wear in service or other cause than the fault or neglect of the person having charge thereof, in which last-named case they shall be renewed or repaired by such person, or, if renewed or repaired at the cost of the Province, the cost may be recovered from such person as a debt due by him to the Crown.

Repairing of arms, &c.

XXIX. The arms and accoutrements of non-Commissioned Officers and men of Volunteer Companies shall be kept by them, except in cases where the Commander-in-Chief shall direct them to be kept in Armouries, as he may do; in which case, if there be no Public Armoury in which he shall direct them to be kept, the Captain of the Company shall provide a proper place, and may be allowed annually a sum not exceeding five pounds for so doing and for taking care of such arms and accoutrements.

By whom and where they shall be kept.

XXX. Commissioned Officers of the said Companies shall furnish their own arms and accoutrements.

Officers' arms.

XXXI. The Arms and Accoutrements of the Officers and men of such Volunteer Companies, and the Horses used by them as such, shall be exempt from seizure in execution and from distress and assessment, nor shall any such horse be disposed of by any Officer or man without leave of the Officer commanding the Company.

Exemption of arms, horses, &c., from seizure.

XXXII. The Volunteer Militia Companies shall be drilled and exercised, at such time in each year and at such places as the Commander-in-Chief may from time to time appoint; the Volunteer Field Batteries being so drilled and exercised during twenty days in each year, of which twenty days ten shall be continuous, and the other Volunteer Corps once in each year during ten continuous days, (Sundays not reckoned in either case,) and the Companies under drill being encamped during the whole or any part of the period for drill, if the Commander-in-Chief shall see fit.

How Volunteer Companies shall be drilled and exercised.

XXXIII. The Adjutant General shall draw up, under the direction of the Commander-in-Chief, a code of instruction, drill and exercise for the said

Adjutant General to draw up code of instructions.

CANADA.

Volunteer Companies, based on that in use in Her Majesty's Regular Army; and each Commissioned Officer of a Volunteer Company shall be furnished with a copy, and shall be governed by the said code in drilling and exercising the corps to which he belongs.

Volunteers to be paid while so at drill; and at what rates.

XXXIV. For each day on which they shall be so drilled, the Officers and men of the said Volunteer Companies shall be paid by the Province the following sums :

Captains, per diem	- - - - -	£0 10 6
Lieutenants	- - - - -	0 7 6
Second do. Cornets or Ensigns	- - - - -	0 6 6
Non-commissioned Officers and Privates	- - - - -	0 5 0

and a further sum of five shillings per diem for each horse actually and necessarily present and used for such drill, whether belonging to officers or to privates.

Volunteers may be drilled at other times according to their articles of engagement.

XXXV. Nothing herein contained shall be construed to prevent any such Company from assembling or being ordered out by the Officer commanding it for drill or exercise, without receiving any pay therefor from the Province, according to any articles of engagement or regulations of such Company, previously approved by the Commander-in-Chief; and any such articles, in so far as they are not inconsistent with this Act, shall be enforced and the penalties which may be thereby imposed shall, whenever they are incurred, be recoverable in the manner herein-after mentioned, by the person or officer designated for that purpose in such articles, to such uses as may be therein directed.

Ammunition for practice.

XXXVI. Sufficient ammunition for practice at drill shall be supplied to the Volunteer Companies at the expense of the Province, in such manner as the Commander-in-Chief shall direct.

Pay of Serjeant Major of Artillery Companies.

XXXVII. Each Serjeant Major of a Volunteer Field Battery of Artillery shall, on account of the great responsibility attached to the office, be paid by the Province at the rate of fifty pounds per annum; and competent persons shall be appointed by the Commander-in-Chief to drill the other Volunteer Companies, and shall be paid by the Province seven shillings and sixpence currency per diem, when so employed.

Volunteers may be called out in aid of the Civil power.

XXXVIII. The said Volunteer Companies shall be liable to be called out in aid of the ordinary Civil power in case of riot or other emergency requiring such services, and shall when so employed receive from the Municipality in which their services shall be required, the rates of pay above mentioned, and a further sum of two shillings and sixpence per man per diem for additional expenses, and shall be also provided with proper lodging by such Municipality; and the said sums, and the value of such lodging, if not furnished by the Municipality, may be recovered from it by the Captain of the Company, in his own name, and when received or recovered shall be paid over to the Officers and men entitled thereto.

They shall be paid in such cases by the Municipality.

How they may be so called out, and their duty in such cases.

XXXIX. It shall be the duty of the Captain or Officer commanding any such Volunteer Company to call out the same, or such portion thereof as may be 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 shall be, or any two Magistrates therein, and to obey such instructions as shall be lawfully given him by any Magistrate in regard to the mode of quelling such Riot; and every Officer, non-Commissioned Officer and man of such Company 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 may and shall act as such so long as they shall remain so called out.

To be sworn as Special Constables.

Exemptions in favour of Volunteers.

XL. The Officers, non-Commissioned Officers and men of Volunteer Companies, shall, while they shall continue such, be exempt from serving as Jurors or Constables; and whenever they shall have served as such in one or more Volunteer Companies during a term of seven years, such exemption shall continue after the expiration of the said term.

Notice to be given before leaving any Volunteer Company.

XLI. No non-Commissioned Officer or Man of any Volunteer Company, shall, in any case, unless legally discharged, leave the same without giving at least one month's notice in writing to the Commanding Officer thereof of his intention to leave the same; nor shall he, at any time, leave the same contrary to the engagement contained in any articles of engagement he shall have signed.

XLII. The several Volunteer Companies shall be subject to inspection from time to time by Field Officers to be appointed by the Commander-in-Chief for that purpose, one for Upper and one for Lower Canada, and paid by the Province, who shall report fully to the Governor on the state of such corps and their arms, and act generally according to the instructions they shall receive from the Commander-in-Chief, and shall be paid by the Province at the rate of four hundred pounds per annum each, and reimbursed their travelling expenses.

Field Officers to inspect Volunteer Companies.

General Provisions.

XLIII. All Commissions of Officers in the Provincial Militia shall be granted by the Commander-in-Chief and during pleasure.

Commissions by whom granted.

XLIV. All non-Commissioned Officers in the Provincial Militia, shall be appointed by the Officer commanding the Battalion to which they belong, except in Volunteer Companies where they shall be appointed by the Captain thereof, and shall hold their rank during pleasure.

Non-Commissioned Officers.

XLV. No person shall be an Officer of Militia unless he be one of Her Majesty's subjects by birth and naturalization, and shall have taken the oath of allegiance.

Officers must be Her Majesty's subjects.

XLVI. Existing Commissions in the Provincial Militia and appointments of non-Commissioned Officers, shall remain in force, such Commissions being subject to be cancelled by the Commander-in-Chief, and such appointments by the Officer commanding the Battalion: but no person shall be bound to serve in the Provincial Militia in a lower grade than he has once held, unless he shall have resigned his commission or be reduced by sentence or order of some lawful Court or authority, nor shall any person who has been a non-Commissioned Officer in Her Majesty's Army, be bound to serve in the Militia in a lower grade than he has held in the Army, unless he have been reduced as aforesaid.

Existing Commissions to remain until cancelled.

No person bound to serve in a lower grade than he has held.

XLVII. There shall be an Adjutant General of Militia for the Province, and two Deputy Adjutants General, one for Upper and the other for Lower Canada; the Adjutant General shall have the rank of Colonel in the Provincial Militia, and each of the Deputy Adjutants General the rank of Lieutenant Colonel therein, and they shall hold their Offices during pleasure: the Adjutant General shall be paid by the Province at the rate of seven hundred and fifty pounds, and each of the Deputy Adjutants General at the rate of five hundred pounds, per annum.

Adjutant General and Deputies Rank.

Pay.

XLVIII. There shall be in and for each Military District an Assistant Adjutant General, who shall have the rank of Major in the Militia, and shall act under the orders of the Colonel commanding the District, and of the Adjutant General of the Province, in preparing, obtaining and transmitting all Militia returns and orders required or issued by the Adjutant General, and generally in assisting that Officer in the performance of his duties as regards such Military District.

Assistant Adjutants-General.

Rank and duties.

XLIX. Each Assistant Adjutant General shall, in time of peace, be paid by the Province for his services, at the rate of thirty pounds per annum.

Pay.

L. There shall be in and for each Military District an Assistant Quartermaster General, whose duty it shall be to make himself thoroughly acquainted with the roads and communications and other matters appertaining to the topography of his District, and to furnish such information on the subject as may be required by the Commander-in-Chief, in which duty the Officers of the Volunteer Engineer Corps shall assist him with the local information they may acquire.

Assistant Quartermaster-General.

LII. All contraventions of this Act and of Regulations or Orders lawfully made or given under it, when the Militia or that portion thereof to which the offender belongs, is not called out for actual service, shall be punishable by penalties to be imposed by one or more Justices of the Peace and in a summary manner as herein-after provided, and Courts Martial shall not be held.

Militia offences punishable by fine in time of Peace, without Courts Martial.

Calling out the Militia.

LII. The Commander-in-Chief shall have full power to call out the Militia, or any part thereof, whenever it shall in his opinion be advisable so to do, by reason of war, invasion or insurrection, or imminent danger of any of them.

Governor may call out Militia in certain cases.

And Colonels or Lieutenant-Colonels in their divisions until Governor's pleasure be known. Militiamen bound to obey.

LIII. The Colonel commanding any Military District, or the Lieutenant-Colonel commanding any Battalion division, shall have power upon any sudden emergency of invasion or insurrection, or imminent danger of either, to call out the whole or any part of the Militia within his command, until the pleasure of the Commander-in-Chief shall be known.

Volunteer Companies to be included.

LIV. The Militia so called out by their Colonel or Lieutenant-Colonel, shall immediately obey all such orders as he may give, and march to such place within or without the division as he shall direct.

And so when the whole Militia is called out.

LV. When the Militia of any local division are called out, in case of war, insurrection or invasion, or imminent danger thereof, all Companies of Volunteers in such division shall be included in the order and shall obey the Officer issuing it.

Sedentary Militiamen to attend with their arms, &c.

LVI. When the whole Militia of the Province are called out, all the Volunteer Companies shall be included and shall immediately obey the orders they may receive.

When the whole are not taken, a certain number may be directed to be furnished.

LVII. Each Sedentary Militiaman 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 may have received from the Province, and with such provisions as such officer shall direct.

How such number shall be taken.

LVIII. When the Commander-in-Chief shall call out the Militia, and the emergency shall not be such as to require that the whole of the Sedentary Militia or of any class thereof, or the whole in any Militia Division or of any class of Militiamen therein, be taken for actual service, he may from time to time direct the number of men to be furnished from the Sedentary Militia of the whole Province or of any Militia Division thereof, over and above the Volunteer Companies therein, which shall always be the first taken for actual service.

Drafting men.

LIX. The number of men to be so furnished shall in the first instance be taken from the first-class service men in the several Company Divisions in that part of the Province to which the order applies, and in proportion as nearly as may be to the number of such men in each; Volunteers shall be first taken from each Company, but if the number of Volunteers be not sufficient, then such further number as may be required shall be drawn by lot, under the superintendence of the Commanding Officer of the Company, whose certificate that any man has been so drafted, or volunteered, or consented to serve as substitute for a drafted man, shall be evidence of the fact.

Militiaman drafted must serve, find a substitute, or pay the fine.

LX. No Militiaman drafted for actual service shall be exempt from serving, unless he shall forthwith pay a penalty of ten pounds, which shall be given to any approved man of the same class who is not himself drafted for service, and will serve in the place of the Militiaman paying such Penalty, or such Militiaman may provide an approved substitute of the same class and not drafted, to serve in his place; and any volunteer or substitute, by his consent to serve as such, shall become liable in all respects as if drafted.

Infirm persons exempted.

LXI. No man drafted and unfit from bodily infirmity to perform his duty shall be taken for service.

In what cases second-class service men may be taken.

LXII. If a greater number of men be required than the whole number of first-class service men, then the requisite number shall be taken from the second-class service men, in like manner.

How men so taken shall be embodied and commanded.

LXIII. The Sedentary Militiamen so taken or drafted for actual service, shall be marched to such place as the Commander-in-Chief shall appoint, by such Officers as shall be detailed for that purpose by the Lieutenant-Colonel of the Battalion from which they are taken, and shall there be embodied into Companies and Battalions, in such manner as the Commander-in-Chief shall direct, and being so embodied shall be commanded by such Officers as he shall from their qualification and fitness think proper to appoint.

Volunteer Companies may be embodied.

LXIV. Any Volunteer Companies so called out for actual service, may be embodied into Battalions, if the Commander-in-Chief shall think fit so to order.

Term of Service.

LXV. The Militiamen so taken or drafted for actual service from the Sedentary Militia, shall serve during one year unless sooner disbanded, and may then be replaced by others taken as aforesaid, and shall not be liable to be again taken until all others in the same class shall have been taken; but the men in Volunteer Militia Companies shall serve for the time for which they have

engaged to serve, which time shall not be less than five years, subject, however, to be determined on one month's notice as hereinbefore mentioned: Provided that no Volunteer shall leave the service, either with or without notice, at any time when the Militia are called out, unless he be regularly discharged or have served out the time for which he engaged.

LXVI. The Militia so called out may be marched to any part of the Province, or to any Place without the Province but conterminous therewith, where the enemy may be, and from which an attack on this Province may be apprehended.

LXVII. The Militia so called out and every Officer or man belonging to it, from the time he shall be ordered, taken, or drafted for actual service, shall 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.

LXVIII. 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.

LXIX. 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.

LXX. No Officer of Her Majesty's Regular Army shall sit on any Militia Court Martial.

Armament of Sedentary Militia.

LXXI. The arms and accoutrements for the Sedentary Militia shall, when such Militia is not called out for actual service, be kept in Armouries at the following places: Quebec, Three Rivers, Rivière-du-Loup (below), Sorel, St. John's, Montreal, the City of Ottawa, Prescott, Kingston, Peterborough, Toronto, Guelph, Hamilton, London, and Chatham.

LXXII. If there be at any such place no building adapted to be used as such Armoury, the Commander-in-Chief may cause a proper building to be erected, at a cost not exceeding seven hundred and fifty pounds for each such building; or he may cause any public building or part thereof to be altered so as to adapt it for such Armoury at a cost not exceeding one half the said sum.

LXXIII. The Commander-in-Chief may employ a proper person to have charge of each such Armoury and of the arms therein, and may cause such person to be paid at a rate not exceeding seventy-five pounds per annum.

LXXIV. The arms in such Armouries respectively, shall be delivered out to the Sedentary Militia called into actual service, in such way as the Commander-in-Chief shall appoint.

LXXV. If there be any Militia division in which, from its position, it shall not be deemed advisable to have the arms of the Sedentary Militia kept in an Armoury, such arms may be delivered out to the enrolled service men of the first class or of the first and second classes in such division, as the Commander-in-Chief may order, each man giving a receipt for those received by him and security for their safe keeping and delivery to any Officer authorized to demand them.

Billeting and cantoning Troops and Militia when on actual Service, and furnishing Carriages, Horses, &c., for their Transport and Use.

LXXVI. When Her Majesty's Regular Forces or the Militia shall be on a march within this Province, and billeted as hereinafter 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

Impressing carriages, &c. on emergency.

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.

Justice of the Peace to billet on requisition of commanding Officer.

LXXVII. 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.

Lodging of Officers not to be paid for: Allowance for men billeted.

LXXVIII. No Officer shall be obliged to pay for his lodging where he shall be 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 sixpence, and for each cavalry soldier, whose horse shall be also provided with stabling and forage, a daily rate of fifteen pence; 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 shall quit their quarters if they shall 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, credit beyond which is not to be granted.

Proper Officer to settle accounts of Officers and soldiers out of their pay, &c.

Quartering and billeting Troops, &c. in cantonment.

LXXIX. When the safety of this Province shall require 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 may be cantoned, upon receiving an order from the Officer commanding them or on a requisition from the Officer commanding any such cantonment, may quarter and billet, and the said Justice is hereby required to 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.

Complaint of persons aggrieved, and how redressed.

LXXX. If any inhabitant shall consider 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 shall be cantoned, they may and are hereby authorized to 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 shall see cause, and such other person or persons shall receive such Troops or Militia accordingly.

No justice being an officer to billet or quarter troops.

LXXXI. 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, Soldier or Soldiers of the Regiment, Corps, or Detachment under the immediate command of such Justice or Justices.

Troops not to be billeted upon nuns.

LXXXII. Nothing in this Act contained shall be construed to authorize the quartering or billeting of any Troops or Militia either on a march or in cantonment, in any Convent or Nunnery of any Religious Order of Females, or to oblige any such Religious Order to receive such Troops or Militia, or to furnish them with lodging or house-room.

Justice may require persons to furnish carriages, &c. for troops.

LXXXIII. When any Troops of Her Majesty or Militia or any part of them, shall be so cantoned as aforesaid, any Justice of the Peace where such cantonment is made, upon receiving an order to that effect from the Officer commanding the said Troops or Militia, or a requisition in writing from the Officer commanding that cantonment, for such and so many carriages as may be requisite and necessary for the said Troops or Militia, is hereby required to issue

his Warrant to such person or persons as may be possessed of carriages, horses or oxen, within his jurisdiction, requiring him or them to furnish the same for the service aforesaid, and if he refuse to furnish the same after receiving such Warrant, they may be impressed and taken for such service; but no such carriage, horse or ox, or any carriage, horse or ox, mentioned in the previous sections of this Act, shall be compelled to proceed more than thirty miles, unless in cases where other carriages, horses or oxen cannot immediately be had to replace them; and such carriages, horses or oxen shall be paid for at the usual rate of hire.

On refusal they may be impresse

Limitation of travel.

At what rate to be paid for.

LXXXIV. In cases of emergency, when it may be necessary to provide proper and speedy means for the conveyance by Railway or by water, of the said Troops of Her Majesty or Militia, and also of their ammunition, stores, provisions, and baggage, any Justice of the Peace of and in the locality where such Troops or Militia may be either on a march or in cantonment, upon receiving a requisition in writing from the Officer commanding such Troops or Militia, for such railway cars and engines, boats or other craft, as may be requisite for the conveyance of the said Troops or Militia and their ammunition, stores, provisions, and baggage, may issue and is hereby required to issue his warrant to such person or persons as may be possessed of such railway cars and engines, boats or other craft within his jurisdiction, requiring him or them to furnish the same for that service, at and after the rate of payment to be allowed by the said Justice, not exceeding the usual rate of hire for such railway cars and engines, boats or other craft; and if any such person or persons shall neglect or refuse, after receiving such Warrant, to furnish such railway cars or engines, or his or their boats or craft for that service, such railway cars or engines, boats or other craft may be impressed and taken for such service: Provided always, that nothing herein shall be construed to impair the effect of any Act obliging any Railway Company to convey such Troops, Militia, and other articles aforesaid, in any manner or on any terms and conditions therein mentioned, or to release any such Company from any obligation or penalty thereby imposed.

In cases of emergency, boats, &c., may be required in like manner.

Rate of pay for the same.

May be impressed on refusal to furnish.

Proviso: as to Railway Companies.

Penalties.

LXXXV. Any Officer of Militia refusing or neglecting to make or transmit, as herein prescribed, any Roll or Return, or copy thereof, required by this Act or by any lawful authority, or wilfully making any false statement in any such Roll, Return, or copy, shall thereby incur a penalty of ten pounds for each offence.

Refusing to make rolls, &c.

LXXXVI. Any Officer or non-commissioned Officer of Militia refusing or neglecting to assist his Commanding Officer in making any such Roll or Return, or refusing or neglecting to obtain or to assist him in obtaining any information which he may require in order to make or correct any Roll or Return, shall thereby incur a penalty of five pounds for each offence.

Refusing to assist in making rolls, &c.

LXXXVII. Any Militiaman or other person refusing or neglecting to give any notice or information which may be necessary for making or correcting the Roll of any Company, and which he is required by this Act to give to the Commanding Officer of such Company, or to any Officer or non-commissioned Officer thereof demanding the same at any seasonable hour and place, shall thereby incur a penalty of two pounds ten shillings for each offence.

Refusing to give information for making roll, &c.

LXXXVIII. Any Militia Officer or man, not exempt from attending muster, who shall neglect or refuse to attend the same at the place and hour appointed therefor, or shall refuse or neglect to obey any lawful order at or concerning such muster, shall thereby incur a penalty of not more than one pound five shillings for each offence.

Neglecting to attend muster or misbehaving thereat, &c.

LXXXIX. Any person who shall interrupt or hinder any Militia at Drill, or shall trespass on the bounds set out by the proper officer for such Drill, shall thereby incur a penalty of one pound five shillings, for each offence, and may be taken into custody and detained by any person by the order of the Commanding Officer, until such Drill be over for the day.

Hindering Militia at drill.

XC. Any Officer, non-commissioned Officer, or Militiaman, who shall disobey any lawful order of his superior officer, or shall be guilty of any insolent or disorderly behaviour towards such Officer, shall thereby incur a penalty of one pound five shillings for each offence.

Disobeying orders, &c.

Not keeping arms in proper order.

XCI. Any Officer, non-commissioned Officer, or Militiaman, who shall fail to keep any arms or accoutrements delivered or entrusted to him in proper order, or shall appear at drill, parade, or on any other occasion, with his arms or accoutrements out of proper order, or unserviceable, or deficient in any respect, shall incur a penalty of one pound for each such offence.

Selling without leave horse drilled or approved for any troop, &c.

XCII. Any Officer, non-commissioned Officer or man of any Volunteer Company of Cavalry or Field Artillery, who shall, without the consent of the Commanding Officer of such Company, sell or dispose of any horse which shall have been drilled for the purpose of such Company, or which he shall have undertaken to furnish for such purposes, and which shall have been approved by the Commanding Officer of the Company, shall thereby incur a penalty of five pounds for each offence.

Unlawfully disposing of arms, &c.

XCIII. Any person who shall unlawfully dispose of or remove any arms, accoutrements or other articles belonging to the Crown, or refuse to deliver up the same when lawfully required, or shall have the same in his possession, except for lawful cause the proof of which shall lie upon him, shall thereby incur a penalty of five pounds for each offence; but this shall not prevent such offender from being indicted and punished for any greater offence if the facts amount to such, instead of being subjected to the penalty aforesaid; and any person charged with any act subjecting him to the penalty imposed by this section may be arrested by order of the Magistrate before whom the complaint is made, upon affidavit showing that there is reason to believe that such person is about to leave the Province, carrying any such arms, accoutrements, or articles with him.

Not to prevent indictment; arrest of offender about to leave the Province.

Volunteers refusing to turn out in aid of Civil power.

XCIV. Any Officer or Man of a Volunteer Militia Company who, when such Company shall be lawfully called upon to act in aid of the Civil power, shall refuse or neglect to go out with such Company, or to obey any lawful order of his Superior Officer or of any Magistrate, shall thereby incur a penalty of five pounds for each offence.

Refusing to receive Militia billeted.

XCv. Any inhabitant householder who shall refuse or neglect to receive any Troops or Militia billeted upon him or to furnish them with the lodging and articles which he is by this Act required to furnish, shall thereby incur a penalty of two pounds for each such offence.

Refusing to furnish carriage, &c. when lawfully required.

XCvI. Any person lawfully required under this Act to furnish any carriage, horse or ox, for the conveyance or use of any Troops or Militia, who shall neglect or refuse to furnish the same, shall thereby incur a penalty of two pounds for each such offence.

Or any car, engine, boat, or craft.

XCvII. Any person lawfully required under this Act to furnish any railway car or engine, boat or other craft, for the conveyance or use of any Troops or Militia, who shall neglect or refuse to furnish the same, shall thereby incur a penalty of five pounds for each such offence.

Contravening this Act where no other penalty is provided.

XCvIII. Any person who shall wilfully contravene any enactment of this Act when no other penalty is imposed for such contravention, shall thereby incur a penalty of five pounds for each offence, but this shall not prevent his being indicted and punished for any greater offence if the facts amount to such.

Recovery of penalties.

XCIX. All penalties incurred under this Act or under any Regulations, Orders, or articles of engagement lawfully made or entered into under it, shall be recoverable, with costs, on the evidence of one credible witness, on complaint or information before one Justice of the Peace if the amount do not exceed five pounds, and before two Justices of the Peace if the amount exceeds that sum; and to the recovery of such penalties all the provisions of any Act or Acts then in force relative to the performance of the duties of Justices of the Peace out of Sessions, with respect to summary convictions and orders, shall apply in so far as may not be inconsistent with this Act; and any officer, non-commissioned officer, or private of any Volunteer Militia Company shall be a competent witness in any such case, although the penalty may be applicable to the purposes of such Company.

Summary proceedings, Acts to apply.

Militia officers, &c., may be witnesses.

On whose complaint penalties may be sued for.

C. No prosecution against any Officer of Militia for any penalty under this Act shall be brought except on the complaint of the Adjutant General; and no such prosecution against any non-commissioned officer or private of the Sedentary Militia, shall be brought except on the complaint of the Commanding Officer or Adjutant of the Battalion or Captain of the Company to which such non-commissioned officer or private shall belong; and no such prosecution against any private or non-commissioned officer of a Volunteer Company shall be

brought except on complaint of the Captain or Commanding Officer thereof: but the Adjutant General may authorize any Officer of Militia to make such complaint in his name, and the authority of any such Officer alleging himself to have been so authorized to make any complaint, shall not be controverted or called in question except by the Adjutant General.

Evidence of authority to sue.

CI. No such prosecution shall be commenced after the expiration of six months from the commission of the offence charged, unless it be for unlawfully buying, selling, or having in possession arms or accoutrements delivered to the Militia.

Limitation of time for such prosecutions.

CII. The penalty when recovered shall, if the offender belong to the Active or Volunteer Militia, be paid over to the Officer commanding the Company, for the purposes thereof, and shall be applied by him to such purposes and accounted for by him to the Adjutant General; and if the offender belong to the Sedentary Militia, then the same shall be paid over to the Assistant Adjutant General, who shall account for and pay it over to the Receiver General for the public uses of the Province, and it shall make part of the Consolidated Revenue Fund.

Application of penalties.

Miscellaneous Provisions.

CIII. It shall not be necessary that any order or notice under this Act be in writing, unless it is herein provided that it shall be so, provided it be communicated to the person who is to obey or be bound by it in person, either directly by the officer or person making or giving it, or by some other by his order.

Orders and notices need not be in writing if given in person.

CIV. All General Orders of Militia, or other Militia Orders issued through or by the Adjutant General, shall be held to be sufficiently notified to all persons whom they may concern, by their insertion in the *Canada Gazette*, and a copy of the said Gazette purporting to contain them shall be *prima facie* evidence of such orders.

General orders how notified. Evidence.

CV. All Orders made by the Commanding Officer of a Militia, Regimental or Battalion division, shall be held to be sufficiently notified to all persons whom it may concern, by their insertion in some newspaper published in such division, or, if there be none, then in some neighbouring division, and by posting a copy thereof on the door of the Church, or of some Court-house, Mill, or other public place, in each Company division in such Regimental or Battalion division.

Regimental or battalion orders, how notified.

CVI. The production of a commission or appointment, warrant or order in writing, purporting to be granted or made according to the provisions of this Act, shall be *prima facie* evidence of such commission or appointment, warrant or order, without proving the signature or seal thereto, or the authority of the person granting or making such commission, appointment, warrant, or order.

Evidence of commissions, warrants, &c.

CVII. Every bond to the Crown which may be entered into by any person under the authority of this Act, or according to any General Order or Regulations made under it, or for the purpose of securing the payment of any sum of money, or the performance of any duty or act hereby required or authorized, before any Judge or Justice of the Peace, or officer therein authorized to take the same, shall be valid, and may be estreated or enforced accordingly.

Bonds entered into in pursuance of this Act to be valid.

CVIII. Every sum of money which any person or corporation shall be under this Act liable to pay or repay to the Crown, or which shall be equivalent to the damages done to any arms or other property of the Crown used for Militia purposes, shall be a debt due to the Crown, and may be recovered in any manner in which such debts may be recovered.

Sums of money payable to the Crown under this Act, how recoverable.

CIX. Every action and prosecution against any Officer or person, for anything done in pursuance of this Act, shall be laid and tried in Lower Canada in the District, and in Upper Canada in the County, where the act complained of was done, and shall not be commenced after the end of six months from the doing of such act, nor until one calendar month's notice in writing of the action and of the cause thereof shall have been given to the defendant; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence at the trial: and no Plaintiff shall recover in any such action if a tender of sufficient amends was made before the action was brought, or if a sufficient sum of money has been paid into Court by the defendant after the action was brought.

Protection of Officers, &c., acting in pursuance of this Act.

Limitation of action.

Tender of amends.

CX. If a verdict shall pass for the defendant in any action referred to in the next preceding Section, or the plaintiff shall become non-suit or discontinue the action after issue joined, or if on demurrer or otherwise judgment be given against

If plaintiff be non-suit, &c.

No costs against Defendant except with approval of Judge.

the plaintiff, the defendant shall recover his full costs as between attorney and client, and shall have the same remedy therefor as any defendant hath in other cases; and though a verdict be given for the plaintiff, he shall not have costs against the defendant, unless the Judge before whom the trial shall be, shall certify his approbation of the action and of the verdict therein.

Payment of moneys under this Act.

CXI. All sums of money required to defray any expense authorized by this Act, may be paid out of the Consolidated Revenue Fund of this Province, upon warrant directed by the Governor to the Receiver General; and such warrants may be made in favour of the Adjutant General of Militia, to enable him to pay such expense, or in favour of the party directly entitled to the money: Provided always, that no sum of money shall be so paid out of the Consolidated Revenue Fund until first approved of by Resolution of the Legislative Assembly in the annual estimates.

Proviso.

Accounting to Parliament.

CXII. A detailed account of all monies advanced or expended under this Act shall be laid before each branch of the Provincial Parliament within fifteen days after the opening of the then next Session thereof.

Accounting to Her Majesty.

CXIII. The due application of all moneys advanced or expended under the authority of this Act, shall be accounted for to Her Majesty, Her Heirs and Successors, through the Lords Commissioners of Her Majesty's Treasury, in such manner and form as Her Majesty, Her Heirs and Successors shall direct.

Interpretation.

CXIV. The Interpretation Act shall apply to this Act, and to all Regulations, orders, and articles of engagement lawfully made or entered into under it.

Commencement and duration of this Act.

CXV. This Act shall come into operation upon the first day of July one thousand eight hundred and fifty-five, and shall be in force for three years, and from thence until the end of the then next ensuing Session of Parliament of this Province, and no longer; provided, that if at the time when this Act would otherwise expire, there should happen to be War between Her Majesty and the United States of America, then this Act shall continue in force until the end of the Session of the Provincial Parliament next after the Proclamation of Peace between Her Majesty and the said United States, and no longer.

Proviso for case of war.

PROBLEM SET 1

Due: Monday, September 10, 2012

1.

Consider a particle of mass m moving in a potential $V(x)$. The energy levels are given by E_n . The wave function $\psi(x)$ is given by $\psi(x) = A e^{-\alpha x}$ for $x > 0$ and $\psi(x) = B e^{\alpha x}$ for $x < 0$. The boundary conditions are $\psi(0) = 0$ and $\psi'(0) = 0$. The energy E is given by $E = -\frac{\hbar^2 \alpha^2}{2m}$. The probability density $P(x)$ is given by $P(x) = |\psi(x)|^2$. The expectation value of the position $\langle x \rangle$ is given by $\langle x \rangle = \int_{-\infty}^{\infty} x |\psi(x)|^2 dx$. The expectation value of the momentum $\langle p \rangle$ is given by $\langle p \rangle = \int_{-\infty}^{\infty} \psi^*(x) (-i\hbar \frac{d}{dx}) \psi(x) dx$. The expectation value of the energy $\langle E \rangle$ is given by $\langle E \rangle = \int_{-\infty}^{\infty} \psi^*(x) \hat{H} \psi(x) dx$.