

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Wednesday the first day of July, 1761, and in the first year of His Majesty's Reign, and there continued by several prorogations until Wednesday the 17th day of March, 1762, in the second year of His Majesty's Reign.

2 George III – Chapter 6

An Act in Addition to an Act, intituled, “An Act for establishing an regulating a Militia.”

Whereas by an Act, intituled, “An Act for establishing and regulating a Militia,” it is enacted, “That the Captain and commissioned officers of each company shall, and thereby are fully empowered to nominate and appoint proper persons to serve as sergeants and corporals in their respective companies, and to displace them and appoint others in their room, as they shall see occasion.” But whereas no provision is made to oblige serjeants and corporals, so nominated and appointed, to serve: which is found highly detrimental to the service, when the militia are ordered to do duty,

Be it therefore enacted by the lieutenant governor, council and assembly, that any person who shall be nominated and appointed to serve as a serjeant or corporal, as directed in the above-mentioned act, and shall refuse to serve, shall pay forty shillings fine, and another shall be chosen in his room, and so on until one do accept.

And be it further enacted by the Lieutenant-Governor, Council and Assembly, that any person who shall be nominated and appointed to serve as a serjeant or corporal, as directed in the above-mentioned act, and shall refuse to serve, shall pay forty shillings fine, and another shall be chosen in his room, and so on until one do accept.

And be it further enacted, that if any serjeant or corporal shall be guilty of any neglect of duty, or shall be drunk, or be disorderly while on duty, such serjeant or corporal shall forfeit and pay the sum of ten shillings, or be committed and set to hard labour for forty eight hours; which said fines shall be recovered and applied in the same manner, as directed by the above-mentioned act for a person refusing to serve as clerk.

And whereas there are sundry supernumerary militia officers, commision'd in this province, who are not appointed to any particular companies.

Be it enacted, that such officers shall not be obliged to do duty as non-commissioned, or private; but shall nevertheless hold themselves in readiness to do duty according to their rank, when ordered by the officers commanding in their respective districts.

And whereas by the said Act, intituled, “An Act for establishing and regulating a Militia,” it is enacted, “That every captain, or chief officer of any company or regiment shall be obliged, on a penalty therein mentioned, to draw forth his company every three months and no

more, to exercise them in motions, the use of arms, and shooting at marks, or other military exercises.”

Which has been thought to be insufficient to answer the purposes designed by the said act,

Be it therefore enacted, that from and after the publication hereof, every captain or chief officer of any company of militia, having received orders for that purpose from the officer commanding any regiment of militia, or any other corps or body of militia, who are required to give orders accordingly, shall be obliged on penalty of five pounds, to draw forth his company or cause them to be drawn forth for exercising them in motions, the use of arms, and shooting at marks, or other military exercises, eight days in each year and no more; to be regulated at the discretion of such commanding officer, according as will best suit with the conveniency of the people, and as will give the least interruption to their labour and industry: and every person liable to be trained, having three days notice thereof, and not appearing and attending the same, shall for each day’s neglect, pay a fine of five shillings.

And be it further enacted, that if any person be appointed to be a drummer in any company, he shall remain in the said company, notwithstanding he may not reside in the district which composes the same. Provided, that no drummer shall be obliged to serve in any company, but in the town where he resides, unless ordered on a march.

And be it further enacted, that the said act; intituled, “An Act for establishing and regulating a Militia,” together with the additions and amendments thereto, be construed and are hereby declared, to extend all over this province.