

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Twentieth day of March, 1793, and continued by several Prorogations to the 6th Day of June, 1797, in the 37th Year of the Reign of Our Sovereign Lord George The Third of Great-Britain, France, and Ireland, being the Fifth Session of the Seventh General Assembly convened in the said Province. From Richard John Uniacke, The Statutes at Large passed in the General Assembly held in His Majesty's Province of Nova Scotia: A complete index and abridgement of the whole. John Howe and Son, 1805.

37 George III – Chapter 6

An Act in amendment of an Act, passed in the Thirty-fifth year of His Majesty's Reign, entitled, "An Act to amend, and reduce into one Act, the several Laws, now in being, relating to a Militia in this Province."

Whereas the drafting of militia men, employed as mechanicks or labourers in His Majesty's ordnance stores, and naval or careening-yard, and in the department of the royal engineers, is frequently injurious to His Majesty's service, for remedy whereof:

- I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that, whenever a proportion of the militia of the town of Halifax, shall be called into service, it shall and may be lawful for the colonel, or officer commanding the regiment of militia to which mechanics or labourers belong, who are employed in His Majesty's ordnance stores, or in the navy or careening yard, or in the royal engineer department, to apportion the number of drafts such mechanics and labourers, in each of the said departments, respectively ought to furnish, and to procure good and sufficient substitutes in the place or stead of such mechanics or labourers, on the most reasonable terms; the amount of which costs and expense, for procuring such substitutes, shall be duly assessed by the colonel, lieutenant-colonel, or officer commanding the regiment, with the assistance of two captains of the said regiments respectively, in proportion to the daily pay of each and every of the said mechanics and labourers.
- II. And be it further enacted, by the authority aforesaid, that each and every such mechanick or labourer so assessed, as aforesaid, shall, on due notice thereof, pay the amount of such rate or assessment, to the officer commanding the regiment, or to any person by him duly authorised to receive the same. And if any such mechanick, or labourer, refuse or neglect to pay, such rate or assessment, it shall and may be lawful for any of His Majesty's justices of the peace, for the town of Halifax, on complaint of the officer commanding the regiment, and on due proof of such mechanick or labourer having been notified of the amount of his rate or assessment, and of his neglect or refusal to pay the same, to issue his warrant to any of the constables of the town of Halifax, directing them to levy, by distress and sale of the goods and chattles of such mechanick or labourer, the sum so proved to be by him due and owing, as his proportion, rate, or assessment aforesaid, with costs of suit; and for want of goods and chattels, to commit such mechanick or labourer to jail; there to remain, until the amount, so specified in the warrant be duly paid. Provided

always, that nothing, in this act contained, shall extend, or be construed to extend, to prevent the said mechanics or labourers, in each of the aforesaid departments respectively, from procuring substitutes agreeable to law, or performing the aforesaid militia duty in person; on due notice given them of such duty, and on their declaring such their intention at the time of notification, and carrying the same into effect.

III. And be it further enacted, by the authority aforesaid, that this act shall be, and continue, in force to the first day of July, in the year of our Lord one thousand seven hundred and ninety eight, and no longer.