

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1812. Saint John, NB: Jacob Mott, Printer to the King's Most Excellent Majesty, 1812.

52 George III – Chapter 8

An Act to amend and continue for a limited time an Act, intituled “An Act for better regulating the Militia in this Province.” Passed the 7th of March, 1812.

Whereas the Act made and passed in the fiftieth year of His present Majesty's Reign, intituled “An Act for better regulating the Militia in this Province,” will by its limitation, expire on the thirteenth day of March, in this present year. And whereas it is deemed expedient to continue the same with some amendments thereto.

I. Be it therefore enacted by the President, Council, and Assembly, That the same Act except wherein it is herein and hereby altered and amended, be, and the same is hereby continued in full force for the term of two years from the time of its expiration, as aforesaid.

II. And be it further enacted, That the seventh, eighth and eleventh Sections of the same Act be, and the same Sections are hereby repealed.

III. And be it further enacted, That all Persons enrolled in the Militia, shall assemble by Regiments or Battalions, or Detachments thereof, three days in each year successively, for the purpose of training and disciplining, and for inspection and review, at such times and places respectively, as the Commander in Chief shall direct and appoint, in order that an opportunity may be afforded to the Inspecting Field officer to attend the same, of which times and places such notice shall be given as is required by the fifth Section of the said Act, in regard to the training by Companies. Provided always that no person shall be obliged to go more than twenty miles from his place of residence, to attend such general muster or training. And provided also that all Persons above fifty years of age, shall not be required to continue at such general muster or training after the first day. And provided also that the number of days for the attendance of the others may be lessened at the discretion of the Commander in Chief.

IV. And be it further enacted, That every person enrolled in the Militia, who shall neglect to appear agreeably to the provisions of this Act, when called upon, shall pay, for each neglect on each and every of the days herein before required of him to attend, ten shillings, and upon neglect or refusal to pay the same to any non-commissioned officer, having an order to receive the same, signed by the officer commanding the Company for the time being, to which such delinquent belongs, the same shall be recovered before any one of His Majesty's Justices of the Peace, with costs, upon the complaint of the commanding officer of the same Company, upon the Oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the goods and chattels of such delinquent, and if no goods or chattels can be found, whereon to levy the same, the said delinquent shall, by Warrant under the hand and seal of such Justice, be committed to the County Gaol, there to remain for the term of four days, for the fine for each days delinquency, unless such sum, with costs, shall be sooner paid; and that all monies to be received for such

delinquencies, shall be paid by the commanding officers of Companies respectively into the hands of the Quarter-Master of the Regiment or Battalion.

V. And be it further enacted, That the Clergymen of the Established Church, and licensed Ministers of the Gospel, be in future exempt, not only from doing any duty in the Militia, but from the payment of the money required by the twentieth Section of the Act to which this is an amendment.

VI. And be it further enacted, That that part of the forty-fourth Section of the said Act, which provides “that nothing in the said Section contained, shall be in force until the same shall be more effectually established as far as it relates to the officers of the regular and fencible forces by a General Order of the Lieutenant-General commanding His Majesty’s forces, and published by the Governor or Commander in Chief for the time being, in General Orders to the Militia,” be, and the same is hereby repealed.

VII. And be it further enacted, That Clerks employed in the Military Offices, who have been announced as such in General Orders, shall be altogether exempted from doing any duty in the Militia, and also from the payment of the money required by the twentieth Section of the Act, to which this is an amendment.

VIII. And be it further enacted, That this Act shall continue and be in force for two years.