

Laws of His Majesty's Province of Upper-Canada in North America. York: Titus G. Simons,
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41 George III – Chapter 2

An Act for the further regulation of the Militia of this Province, and for the more effectual punishment of Offenders against the Militia Laws.

[July 9th, 1801.]

I. Whereas in many instances the fines, forfeitures and penalties imposed by the several Acts of the Legislature of this Province for the regulation of the Militia cannot be recovered by reason that the offenders have not wherewithal to answer the conviction, or that they conceal their goods and effects to evade the seizure thereof; whereby the intention of those Laws is frustrated, for remedy thereof, Be it therefore enacted by the King's most excellent Majesty, by and with the advice and content of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain entitled, "an Act to repeal certain parts of an Act passed in the fourteenth year of his Majesty's reign, entitled an Act for making more effectual provision for the government of the Province of Quebec in North America, and to make further provision for the government of the said Province" and by the authority of the same: That when any person shall have been convicted of any offence against any of those laws, which offence is not now punishable by imprisonment, and shall refuse to pay the fine, forfeiture or penalty imposed on such offender, it shall and may be lawful to and for the Justice or Justices before whom such person shall have been convicted to commit such offender to the common gaol of the district until he shall pay and satisfy such fine, forfeiture or penalty together with the reasonable charges attending such conviction. Provided nevertheless, that no person or persons so committed shall in any case be detained in custody longer than the space of one calendar month.

II. And be it further enacted by the authority aforesaid, that no persons who have been discharged from his Majesty's service as non-commissioned officers shall be obliged to serve in any station in the Militia of this Province inferior to that which they held in his Majesty's service, unless having been non-commissioned officers in the said Militia they may have been reduced according to law.

III. And be it further enacted, that the exemption extended to the several persons stated in the twenty-first clause of an Act passed in the thirty-third year of his Majesty's reign, entitled "an Act for the better regulation of the Militia of this Province" shall extend to all Militia officers having served under and by virtue of a commission from any of his Majesty's Governors or Lieutenant Governors in America.