Provincial Statues of Canada, passed in the year 1845. Montreal: Stewart Derbishire & George Desbarats, 1845.

8 Victoria – Chapter 51

An Act to revive and continue, for a limited time, a certain Ordinance therein mentioned, for regulating the Militia in Lower Canada, and to suspend for a like time a certain provision, of the Militia Law of Upper Canada. (29th March, 1845.)

Whereas it is expedient to revive and continue, for a limited lime, the Ordinance of His Excellency the Administrator of the Government of the late Province of Lower Canada, and of the Special Council for the affairs of the said Province, passed in the first year of Her Majesty's Reign, and intituled, "An Ordinance to provide for the defence of this Province, and to regulate the Militia thereof," which expired on the first day of May, one thousand eight hundred and forty-three: Be it therefore enacted by the Queen's Most Excellent Majesty, 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, That, the Ordinance cited in the Preamble to this Act, with the exception of the clause whereby the duration thereof was limited, shall be and is hereby revived, and shall be in force within that part of this Province which formerly constituted the Province of Lower Canada, from the passing of this Act and for the time during which this Act shall remain in force, and no longer.

II.   Provided always, That it shall be lawful for the Governor, or person administering the Government of this Province, by any Militia General Order to be by him made, published in the Canada Gazette, and directed to the Commanding Officers of each and every of the Battalions of Militia in Lower Canada, to direct that the annual muster of the companies of Militia shall not take place on the twenty-ninth day of June of the year in which such order shall be made; and sufficient notice of such General Order shall be given before the twenty-ninth day of June to which it shall relate, by the Commanding Officer of each Battalion, to the Captains or Officers commanding Companies therein, and shall be also notified by such Captains to each Militiaman, in the manner prescribed by the fifth section of the Ordinance hereby revived and continued; and such order being so given and notified, shall be obeyed by all Officers of Militia and Militiamen to whom it shall relate, under the penalty imposed by the fifteenth section or by any other section of the said Ordinance, for each and every act of disobedience to the provisions therein contained; any thing in the said Ordinance to the contrary notwithstanding.

III.   And be it enacted, That the eighth and forty-third sections of the Act of the Legislature of Upper Canada, passed in the second year of Her Majesty's Reign, and intituled, "An Act to repeal and amend the Militia Laws of this Province," and so much of any other part of the said Act or of any other Act or Law as authorizes the Colonel or Commanding Officer of any Regiment or Battalion of Militia in Upper Canada, to call out or assemble the Officers, non-commissioned Officers or Privates serving therein, for drill or training at any time when such Regiment or

Battalion is not called out for actual service, shall be, and is and are hereby suspended during the time this Act shall remain in force.

IV.   And be it enacted, That this Act shall remain in force until the first day of May, one thousand eight hundred and forty-six, and thence until the end of the then next Session of the Provincial Legislature, and no longer.