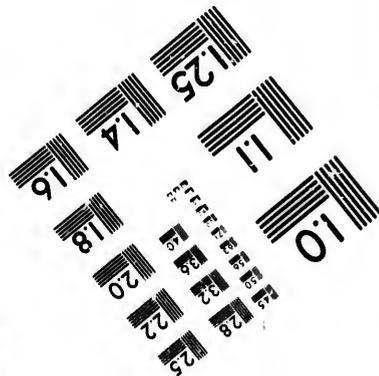
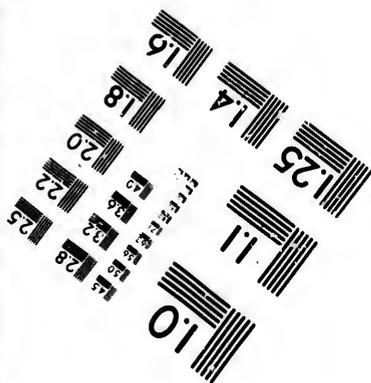
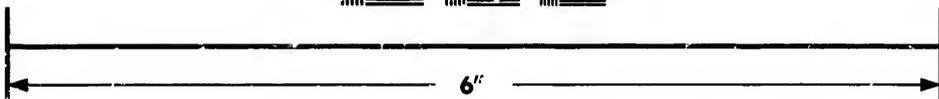
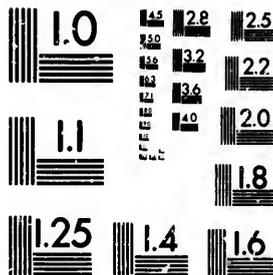


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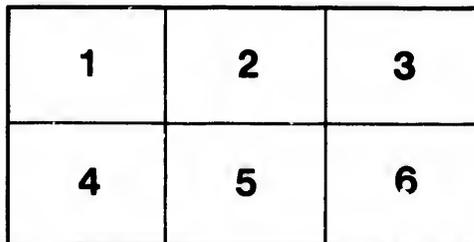
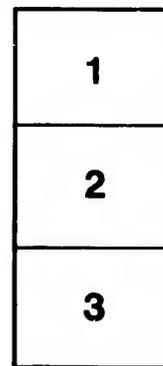
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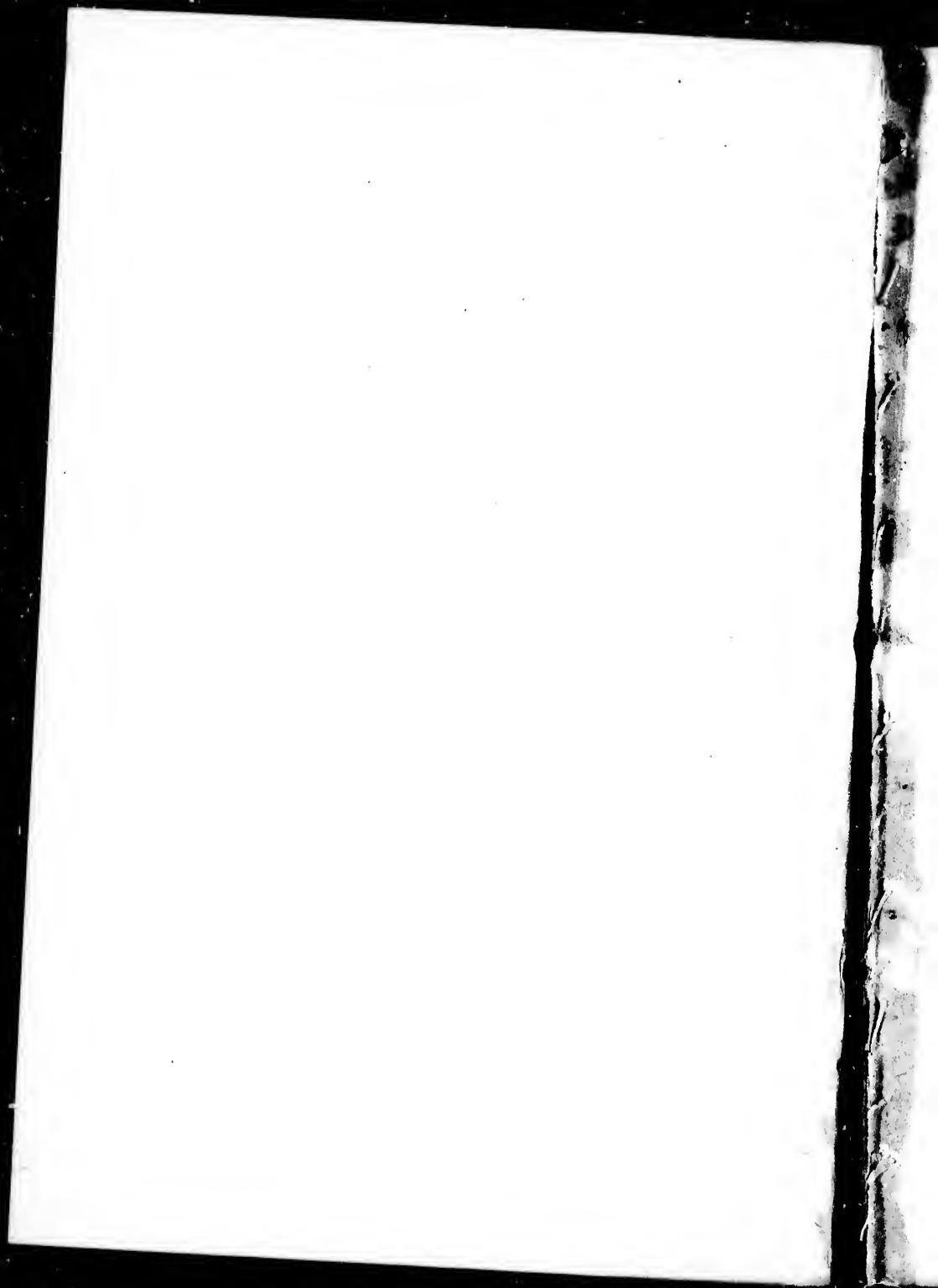
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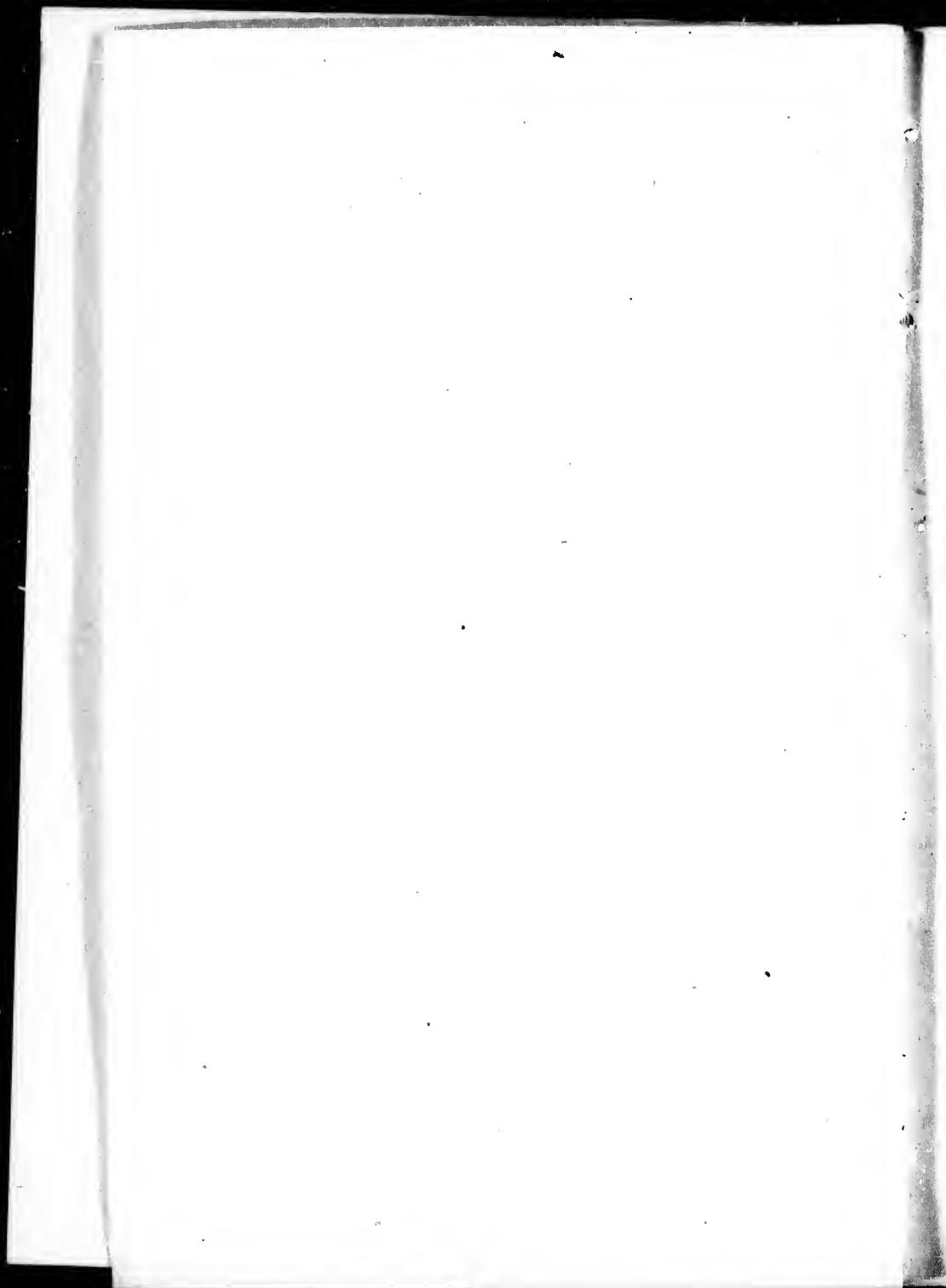


STANDING ORDERS
OF THE
BRIGADE OF
Montreal Garrison Artillery,
VOLUNTEER MILITIA,
OF
LOWER CANADA.



ORGANIZED 1812.

Montreal:
PRINTED BY JOHN LOVELL, ST. NICHOLAS STREET.
MARCH, 1865.



STANDING ORDERS.

SECTION I.

1. The distinctive Badge or device of the Brigade to be worn on the appointments of the officers, non-commissioned officers and gunners shall be a Yellow Grenade with the initials M. G. A. The Coat of Arms of the Brigade shall be as follows:



ARMS.

2. Quarterly. First, Argent, upon a mound vert, a pile of cannon balls proper. Second. The Arms of England, viz: Gules three lions passant guardant, in pale, Or, Third, Azure three Field pieces in pale, Or, upon a chief of the second three grenades fired, proper. Fourth, The Arms of the City of Mon-

trear, viz : Argent, a saltire gules, between, in chief a rose, leaved and stemmed, in the dexter flank a thistle, in the sinister a shamrock, and in base a Beaver, all proper. The whole within a garter azure bordered, buckled, and tagged gold, having thereon in gold letters "Brigade of Montreal Garrison Artillery." surrounded by a wreath, the dexter side oak leaves vert, acorns gold, and sinister, maple leaves proper.

Crest.—The Imperial Crown proper, surmounted by a lion stantant gardant, or,

Motto.—On a scroll entwining the base of the wreath. "*Ubique Volens.*"

SECTION II.

OFFICERS' UNIFORM.

3. The uniform shall consist of a dark blue tunic with scarlet collar, trowsers of dark blue cloth with scarlet stripe of $1\frac{3}{4}$ inches wide down the outer seams for all ranks. Undress uniform shall consist of a patrol jacket of blue cloth, or the regimental blue frock coat with black lace or a shell jacket according to regulations, which shall be indicated in Brigade orders.

4. Each Officer, on appointment, shall provide himself with complete uniform, in accordance with regulations, within three months:

DISTINCTION OF RANK.

5.		
At each end of collar.	}	Collar laced all around with gold lace inside of gold cord.
<i>Lt.-Col.</i> , Crown. <i>Major</i> , Star.		Chevron of flat gold lace, $1\frac{1}{2}$ inch wide, with 3 rows of gold braid outside of chevron, 2 rows figured and centre one plain, 11 inches deep.
<i>Capt.</i> , Crown and Star. <i>Lieut.</i> , Crown.	}	Collar laced around the top with gold lace within gold cord.
		Sleeve ornament, Austrian knot of round gold cord traced in and out with small gold braid 8 inches deep, and figured for Captains, 7 inches deep, and plain for Lieutenants.
<i>Medical Officers</i>	}	Surgeon as <i>Major</i> .
		Assistant Surgeon as <i>Lieut.</i>

ACCOUTREMENTS.

6. CAP.—Busby, of dark sable, $7\frac{1}{2}$ inches high in front, $8\frac{3}{4}$ in rear, 23 inches in circumference at top outside, leather chin-strap and brass buckle, scarlet bag, $6\frac{1}{4}$ inches wide, to hang on right side, to extend 1 inch short of bottom of cap; plume of white goats' hair, with grenade and socket on left side of busby; top of plume in line with top of cap.

SWORD AND SCABBARD.—Regulation light cavalry.

SWORD-KNOT.—Gold line, with acorn.

SWORD-BELT.—White patent leather, $1\frac{7}{8}$ inch wide, with sling, and plate gilt, to be worn over tunic.

POUCH-BELT.—White patent leather, 2 inches wide.

STOCK.—Black.

GLOVES.—White leather.

SPURS.—For Field Officers, brass crane-neck, 2 inches long.

7. **FULL DRESS.**—Officers may, if they see fit, procure full dress accoutrements, viz., gold pouch and cross and sword-belt, gold stripe down outer seam of trowsers.

8. **FORAGE CAP.**—Dark blue cloth, with band of gold lace $1\frac{5}{8}$ inch wide, with a convex gold button on crown, encircled with 4 rows braid, one row figured with 8 loops and an eye encircled in a loop; to measure $4\frac{1}{2}$ inches across; cap, 3 inches high, the distinctive badge, gold grenade in front.

WINTER UNIFORM.

9. Russia lambs-wool cap, 4 inches high in front, 5 inches behind, 23 inches in circumference, on top, with gold button and braid on crown, same pattern as forage cap. Over-coat of blue pilot cloth, trimmed

with Russia lambs-wool, frogs and braid. Trowsers, undress. Jack boots. Sword and cross-belts worn outside. Gloves white.

SECTION III.

NON-COMMISSIONED OFFICERS AND GUNNERS.

10. Same uniform as Royal Artillery, or as prescribed by His Excellency the Commander-in-Chief.

STOCK.—Black leather.

BOOTS.—Wellington.

GLOVES.—White leather or cloth.

FORAGE CAP.—Blue cloth, 3 in. high, cylindrical, with yellow band $1\frac{1}{4}$ inch wide, with Brigade badge in front; yellow button on top; leather chin strap.

11. SERGEANTS.—Same as above, with gold lace band and gilt button for Forage Cap.

12. STAFF SERGEANTS and BATTERY SERGEANT MAJORS.—Chevrons below elbow the point close to Austrian knot, all other Sergeants' chevrons above the elbow.

WINTER UNIFORM.

13. OVERCOAT.—As issued by Government.

CAP.—Seal skin.

GLOVES.—White woollen.

14. For Staff Sergeants, overcoat blue cloth double-breasted two rows of Regimental buttons, black Astracan fur on collar and breast; Battery Sergeant Majors same as above with fur on collar only, chevrons according to rank; cap black Russia or Astracan fur, 4 inches deep in front, 5 inches behind. Top the same as forage cap, boots jack boots to knee. Sergeants must procure their proper uniform on appointment.

SECTION IV.

OFFICERS.

15. The Lieutenant-Colonel will command at all times when present, and preside over all meetings of the Officers. He will be *ex officio* a member of all committees that may be appointed. To him all reports must be made, and through him must pass all correspondence of a public nature, connected with the duties or business of the Brigade.

THE MAJORS.

16. In the absence of the Lieut.-Colonel, a Major will assume, according to seniority, the command of the Brigade, and perform such duties as may be required of him, in accordance with the Militia Act, and the standing orders of the Brigade. The Majors must at all times be prepared to render the Lieutenant-Colonel such assistance as he may need

in the due performance of his duties, and the maintenance of good order and discipline in the Brigade. In the absence of the Lieutenant-Colonel or Majors, the senior officer will take command of the Brigade, to whom obedience will be rendered.

THE CAPTAINS.

17. The Captain of each Battery will have under the Commanding officer sole charge of the Battery entrusted to his command, for the discipline and good order of which he will be held strictly responsible. For this, and other matters connected with the well-being of his Battery, he will command the aid of his subaltern officers, who will render him such assistance as he may require, in the performance of his duties.

18. The Captain of each Battery will also be held strictly responsible for the arms, accoutrements, and other public property that he may be entrusted with for its use, of which he must be prepared at any moment when called upon to furnish correct returns.

THE ADJUTANT.

19. This Officer will be under the immediate control of the Commanding Officer, to whom alone he will be responsible for the due performance of the duties of his office. These duties, being of a complicated and onerous character, will necessitate on his

part a due amount of care, diligence, and industry. He will have oversight of all duties and matters of discipline, not exclusively belonging to others. He will be personally present, parade and inspect all Guards and Picquets, or other duties that may be required. He will keep the Orderly Book of the Brigade, in which he will enter such orders as may be issued by the Commanding Officer, furnishing the different Captains with copies thereof, should it be deemed necessary by the Commanding Officer. The Staff he will notify of such orders as may concern them. He will keep a Duty Roster of the Brigade, in which he will have entered the name in full, of each Officer belonging to it, according to his rank and seniority, and from which he will detail Officers for duty, when such may be required. He must make himself acquainted with the address of each Officer of the Brigade, whom he will duly notify, when necessary, of all parades and meetings of the Officers of the Brigade, and keep a record thereof in the Brigade Minute Book, to which any of the Officers will be permitted to have access, should they require it, as also the Order Book. In the performance of his duties he will be assisted by the Sergeant-Major, who will be immediately under his control, and subject to his orders, and who, as the senior Non-Commissioned Officer of the Brigade, will exercise a general supervision over the other Non-Commissioned Officers, and will be answerable

under the Adjutant for all matters of discipline not peculiarly the duty of others.

THE PAYMASTER.

20. This Officer will act as Treasurer to the Brigade, and will receive all subscriptions, fines, and funds that may accrue from time to time, for which he will be accountable to the Finance Committee, and make disbursements thereupon only under their direction. He will keep a regular account of the Brigade funds, submitting the same for examination and audit at the General Meeting of the Officers, or when called upon for such statement by the Commanding Officer. To assist him in the collection of dues, and other matters connected with his department, he will command the assistance of the Paymaster Sergeant, who is placed immediately under his orders, and will afford such aid as he may require.

THE SURGEON.

21. This Officer, or the Assistant Surgeon, must be present at parades, when firing with blank ammunition or ball practice takes place, on due notice thereof being given him. The Assistant Surgeon is placed solely under his orders, and will render him all the assistance he may require for the due performance of his duties. The Hospital Sergeant is also placed under his immediate orders, and will

obey such instructions as he may receive from himself or the Assistant Surgeon.

THE QUARTERMASTER.

22. This Officer will take charge of all stores or other property, public and regimental, handed over to him for safe keeping, of which he will keep in books a proper account. He will superintend the issue and delivery of Ammunition, whenever the Brigade may require it.

23. The Quartermaster shall inspect quarterly all musical instruments the property of the Brigade, and make a return of the condition of the same to the Adjutant. The Quartermaster-Sergeant is placed under his orders, and will render him such assistance as he may require in the due performance of his duties.

SECTION V.

BRIGADE SERGEANT MAJOR.

24. He is the assistant of the Adjutant, and, on him, in a great measure, depends the general smartness of the Brigade.

Being at the head of the Non-Commissioned Officers, he must be a perfect master of drill. He must be an example of activity and soldier-like conduct, and must exact the most prompt obedience to his

orders; he must be diligent in informing himself of every part of his duty, strictly correct in the execution of it, and by his manly conduct, zealous activity, and due regard to the feelings and comfort of those under him, set an example to the rest of the Non-Commissioned Officers.

QUARTERMASTER SERGEANT

25. Will render every assistance to the Quartermaster, looking after the arms and property of, or in charge of, the Brigade. He will see that the arms and accoutrements are properly cared for, and will report any neglect and trace any damage or losses.

PAYMASTER SERGEANT

26. Will render every assistance to the paymaster.

HOSPITAL SERGEANT.

27. He must be prompt in rendering aid in case of accident or illness of the men, while on duty; he must take charge of such, and see them conveyed to their homes or hospitals. He is subject to the orders of the Surgeon.

BATTERY SERGEANT-MAJOR.

28. Is answerable to the officer commanding the Battery for the appearance of the men; he must see that the accoutrements and uniforms are in order.

He must be able to instruct the Battery in all details of drill, both gun and carbine. He must be familiar with the name, residence, and character of every man in the Battery; and must be an example of obedience, and of zeal and activity to the Battery.

SECTION VI.

NON-COMMISSIONED OFFICERS AND GUNNERS.

29. The excellency of the Brigade and Battery depends, in a great measure, on the conduct of its Non-Commissioned Officers. From them is expected the strictest attention to all their duties, the greatest sobriety, and regularity of conduct, and attention to dress and appearance. They must insist on the strict and prompt compliance with their orders, but at the same time must use their authority with discretion, and never allow themselves to be influenced by prejudice or personal ill-will.

30. They must be perfectly acquainted with drill, and be qualified to instruct.

31. Non-Commissioned Officers, while on duty, must never make use of profane or abusive language to the men, and must never suffer a reply when on duty without reporting it. While exacting compliance with orders, they must themselves be examples of obedience to their superior Officers.

32. Non-Commissioned Officers and Gunners are to pay the proper compliment to all Officers of the Army, Navy, Militia, and Volunteers, when in uniform.

When passing an Officer, the salute is to be made with the outward hand to the cap, looking the Officer in the face.

33. All good Volunteers will, for their own credit, be obedient to their Officers, attentive to the care of their arms, accoutrements, and clothing; as well as exact in the discharge of their duties, and always neatly and regimentally dressed. By this means, they will show their Officers that they feel an interest in the credit of the corps. Neglect of dress, mistakes in drill, or unsteadiness on the part of one individual will injure the appearance of a whole regiment on parade.

34. There must be no talking while on parade.

35. While seniority will generally give the right of promotion, yet, if a Non-Commissioned Officer is careless, negligent, or indifferent to his duties, he can never expect preferment to the prejudice of the service. The first principle that is to be instilled into the mind of every Volunteer, is strict obedience to orders, zeal for the service, and an anxious desire to support the character and credit of the corps. These sentiments will lead him to

an honorable and punctual discharge of his duties, and render his voluntary service a pleasure, rather than an irksome duty.

36. Every Volunteer will be treated with strict justice ; his first duty is to obey orders, and if he has cause of complaint, he must make it in writing to the Lt.-Colonel through the Officer commanding the Battery ; all such complaints will receive prompt and careful attention.

37. Non-Commissioned Officers may be reduced to the ranks for neglect of duty, or inefficiency on report of a regimental court of enquiry.

SECTION VII.

FUNDS.

38. Each Officer, on his appointment, shall pay into the hands of the Paymaster, to be placed to the credit of the Brigade funds, the sum of ten dollars.

39. Any Officer absent from a general parade or meeting duly called by proper authority, without having previously obtained leave of absence, or from sickness without being duly reported in writing will be fined one-fourth of a day's pay.

40. Non-payment of subscriptions or fines, after being notified by the Paymaster, will deprive those

in default, of the right to vote, speak, or take any part whatever in the proceedings of a meeting while such default exists. Any Officer in arrears for two quarters may be published in Brigade orders and will render himself liable to be reported for disobedience of orders, and dealt with accordingly.

41. No liabilities to be incurred, or payment to be made, without the sanction of the Chairman of the Finance Committee, or, in his absence, of two members of the same. It shall be deemed sufficient notice when the assessments are due, that the time is specified in orders a week previous. The Paymaster shall be in attendance on parade to receive the assessments.

SECTION VIII.

ANNUAL MEETING.

42. The Paymaster shall, before the meeting, furnish the Adjutant with a statement of every Officer in arrears (if any), so that the Adjutant will notify each Officer of the amount due by him to the Brigade. Seven officers will be considered a quorum, and the senior officer present to take the chair. Special meetings may be called by circular, or when put in Brigade Orders, it shall be considered sufficient notice.

43. The Officers will appear in undress uniform at all meetings, unless when otherwise ordered. The following will be the order of proceedings at these meetings: Minutes of previous meeting read and confirmed, or otherwise, as the case may be. Reports of Committees received. Notices of motions. General business.

SECTION IX.

SPECIAL MEETINGS

44. May be called on a requisition signed by any three Captains or Officers commanding Batteries, addressed to the Officer commanding the Brigade specifying the object for which such meeting is desired, and to the discussion of which the meeting, when called, shall strictly confine itself. The Commanding Officer may at any time call the Officers together for the consideration of any matter affecting the welfare or good order of the Brigade. Three days' notice of all such meetings, when called, must be given; and it shall be considered sufficient notice if the same appears in Brigade orders.

SECTION X.

COMMITTEES.

45. There shall be a permanent Finance Committee, consisting of a Major, two Captains, and the

Paymaster, three of which will constitute a quorum, and exercise supervision and control over the Brigade funds, and order such disbursements as may from time to time be necessary. Committees for special purposes may be appointed at any meeting, whenever found necessary.

46. There shall also be a **BAND COMMITTEE**, consisting of three Officers, which shall be appointed annually. The Band shall be in charge of this Committee. They shall on no occasion turn out, except for parade of the Brigade, without permission from the Officer in command; the application and permission to be in writing, through the Chairman of the Band Committee.

SECTION XI.

GENERAL PROVISIONS.

47. No recommendation for appointment to be made for a commission without the name be first submitted to a meeting of Officers duly convened. A ballot shall take place, and one non-content in five shall exclude the name from recommendation for appointment, provided that the number present exceed six.

48. Whenever drill or parade is ordered, the greatest punctuality must be observed.

49. Officers absent on leave will pay their assessments as if on duty, but will not be liable for fines or absence from parade.

50. No Captain or other Officer in command of a Battery shall call out his Battery for any special parade or occasion, except for drill or target practice, without the previous sanction of the Officer commanding, to whom he must address, in writing, stating the object he has in view.

51. All Orders read at any Muster will be held to have been duly communicated to the whole of the Brigade.

52. For leave of absence application must be made in writing to the Lt-Col. for any term beyond a month. For Non-Commissioned Officers and gunners, application must be made to the Officer in command of Battery. For Staff Sergeants to the Officer in command of Brigade.

53. No alteration or amendment of these Standing Orders can be effected, without the sanction of His Excellency the Commander-in-Chief. Nor can any such alteration be made, or amendment carried, unless due notice has been given at the Meeting immediately preceding that at which such change is sought to be made.

SECTION XII.

54. The Brigade shall consist of such number of Batteries as His Excellency the Commander-in-Chief shall direct. There shall be attached to each a Captain, 2nd Capt., 1st Lieut., and 2nd Lieut., a Battery, Sergt Major, two Sergeants, three Corporals, and three Bombardiers. The Non-Commissioned Officers to be appointed by the Officer in command of the Brigade, on the recommendation of the Officer in command of the Battery.

55. Each Battery shall be divided numerically into two sub-divisions, the first under charge of the 1st Lieut. ; the second under charge of the 2nd Lieut. They shall keep a record of the names and residence of their respective sub-divisions, and generally look after the drill and discipline, reporting to the Captain.

Accepted and confirmed at a Meeting of Officers of the Brigade.

S. J. LYMAN, Lt.-Col.,
Commanding Brigade of Montreal
Garrison Artillery.

March 11th, 1865.

Approved,

A. DESALABERRY,
Lt.-Col.,
D. A. G. Militia, L. C.

MILITIA DEPARTMENT,
Quebec, April 12th, 1865.

In order to secure uniformity, the following illustrations are given to show the manner of wearing the Uniform. It is by minute attention to the correct mode of wearing of Dress and Uniform that the comfort and appearance of the Volunteer is secured. Not a Button should be left unfastened. The Uniform should be carefully brushed. The Boots and Cartridge Pouch well polished. The Hair properly trimmed. The Belts well cleaned with pipe clay. Buttons and Belt Clasps bright. In short, every thing connected with a Volunteer, should be smart and tidy.

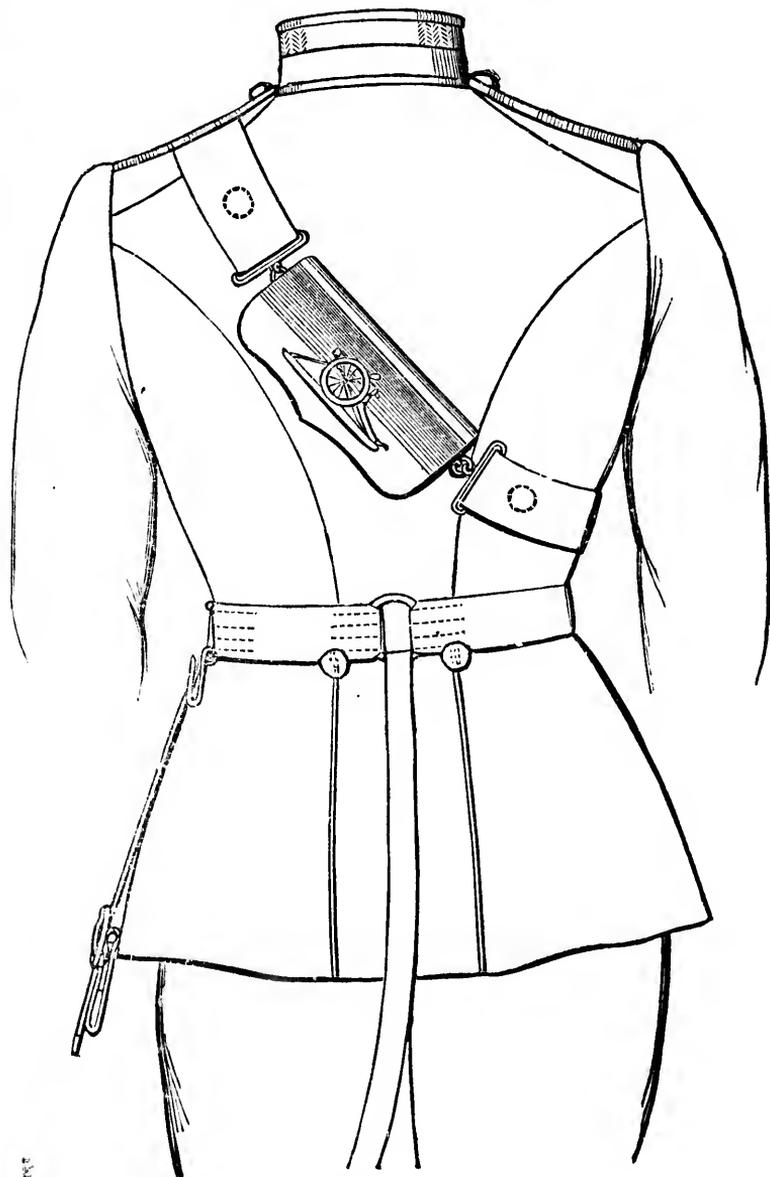
POSITION OF FORAGE CAP AND CHIN STRAP, (SIDE VIEW.)



POSITION OF BUSBY AND CHIN STRAP.



POSITION OF POUCH AND WAIST BELT.



The Brigade Orders refer to the internal management of the Brigade, but in order that the Militia law may be understood an abstract is given which contains all the principal points relating to Volunteers. It is earnestly enjoined that the orders and law be carefully read and thoroughly understood. The Brigade Orders must be strictly observed in every respect, no infraction can be passed by unnoticed, and the welfare of the Brigade depends upon the vigilant efforts of all ranks to conform to the Standing Orders in every particular.

EXTRACTS FROM THE MILITIA ACT.

3. Every Officer shall, on receiving his commission, and every Volunteer shall, on his enrolment in the Muster Roll of his Corps, or in either case as soon afterwards as may be, take the oath following :

"I, A. B., do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, and that I will faithfully serve Her Majesty in Canada, for the defence of the same against all Her enemies and opposers whatsoever, according to the conditions of my service," and the name of the successor of Her Majesty Queen Victoria, for the time being, shall be substituted as occasion may require, and the oath shall be administered by a Justice of the Peace of the Country to which the Corps belongs or by an Officer of the Corps who has taken such oath.

5. All Companies or Battalions of Volunteers shall be formed and may be disbanded by authority of the Commander-in-Chief, as may in his opinion best tend to further the purposes of this Act and the public good.

Officers and men to remain responsible for Uniform and Arms;

9. 2. Nothing herein shall be construed to relieve the Officers or men of the Volunteers, of any liability in respect to the Uniform or Arms or Accoutrements thereof, delivered to the custody, care or possession of any of them,—or in any other respect,—under the Acts eighteenth Victoria, chapter seventy-seven, and nineteenth and twentieth Victoria, chapter forty-four, and the thirty-fifth chapter of the Consolidated Statutes of Canada and the Act twenty-fifth Victoria, chapter one,—but notwithstanding the repeal of the said Acts or any of them,—any proceedings thereto relating may be brought within twelve months after the discovery of any breach of the provisions thereof.

Notwithstanding repeal of former Acts.

Exemption of Clothing, Arms, horses, &c., from seizure.

12. The Uniform, Clothing, Arms and Accoutrements of the Officers, Non-Commissioned Officers, and men of Volunteer Corps, and the Horses used by them as such, shall be exempt from seizure in execution and from distress and assessment; nor shall any of such horses be disposed of by any Officer or man without leave of the Officer commanding the Corps; and the clothing except that of Officers, whether issued from the Adjutant General's Office or the clothing of any Corps or Non-Commissioned Officer or man thereof, who may have heretofore purchased or by any means acquired the same other than from the Adjutant General's Office, and who have or has heretofore been paid or received any

Uniform to be the property of the Crown if furnished or paid for by the Province.

sum of money in lieu of or as compensation for clothing, shall be deemed to be the property of the Crown; and each Non-Commissioned Officer or man who fails to keep in proper order the uniform entrusted to his care, or in his possession, or who may wear the same or any part thereof on any other occasion than when on duty or specially authorised or permitted so to do by his Commanding Officer, shall incur a penalty of five dollars for each offence, to be recovered as hereinafter mentioned.

Penalty for not keeping Uniform in proper order.

14. The Volunteers shall be drilled and exercised, in such manner and at such times in each year, and for such periods and at such places, and either encamped or otherwise, and under such rules and regulations and subject to such returns or certificates of performance of drill as the Commander-in-Chief may from time to time order; but nothing herein contained shall be construed to prevent any Corps from being assembled or ordered out at any time by the Officer commanding it, for parade or drill or target practice or exercise.

How Volunteers shall be drilled and exercised.

18. The Volunteers shall be liable to be called out in aid of ordinary Civil Power in case of riot or other emergency requiring such services, and shall, when so employed, receive from the Municipality in which their services are required, the following rates of pay, that is to say: Officers, such

Volunteers may be called out in aid of the civil power, and shall in such cause be paid and lodged by the Municipality.

pay as is the daily pay in Her Majesty's Service of officers of corresponding rank, with an additional sum to each mounted Officer of two dollars per day, and Non-Commissioned Officers and Privates the sum of one dollar each per day, with an additional sum of one dollar per day for each horse actually and necessarily used or employed on such occasion, and shall be also provided with proper lodging by such Municipality;—And the said sums, and the value of such lodging, if not furnished by the Municipality, may be recovered from it by the Officer commanding the Corps, in his own name, and when received or recovered shall be paid over to the Officers and men entitled thereto.

Volunteers exempt from serving as Jurors or Constables on certificate.

20. The Officers, Non-Commissioned Officers and men of Corps of Volunteers, shall, while they continue such, be exempt from serving as Jurors and Constables;—And a certificate under the hand of the Officer commanding any such Corps shall be sufficient evidence of the service in his Corps of any Officer, Non-Commissioned Officer or man for the then current year, and of his exemption as aforesaid; And Officers, Non-Commissioned Officers and men of the Volunteers being in proper staff, or regimental uniform, dress or undress, and their horses, (but not when passing in any hired or private vehicle, unless when on duty or proceeding to or from the same) shall be exempt from the

And from tolls in certain cases.

payment of any duty or toll on passing any turnpike or toll-gate, or any road, wharf or landing place, or bridge in this Province.

21. The term of engagement of a Volunteer shall, after the passing of this Act not be less than five years, but any Volunteer may, except when called out for actual service, quit his Corps or Battalion on complying with the following conditions, namely:

Term of engagement hereafter.

1. Giving to the Commanding Officer of his Corps or Battalion six months' notice in writing of his intention to quit the Corps or Battalion.
2. Delivering up in good order, fair wear and tear only excepted, all Uniform, Clothing, Arms, Accoutrements and appointments, being the property of the Crown or of his Corps, issued to him.
3. Paying all money due or becoming due by him under the Rules of his Corps or Battalion, either before or at the time, or by reason of his quitting it, for any subscription or fine or on any other account;

Conditions on which a Volunteer may leave his Corps.

and thereupon he shall be struck out of the Muster Roll of the Corps by the Commanding Officer.

23. 1. The Commanding Officer of a Volunteer Corps may discharge from the Corps any Volunteer, and strike him out of

Striking off Roll for disobedience of orders,

neglect or
miscon-
duct.

Uniform,
&c., to be
given up.

Moneys due
to Corps to
be paid.

Penalty, &c.

Arrest of of-
fender dur-
ing a cer-
tain time.

the Muster Roll either for disobedience of orders by him while doing any Military duty with his Corps, or for neglect of duty or misconduct by him as a member of the Corps, or for other sufficient cause, the existence and sufficiency of such causes respectively to be judged of by the Commanding Officer; the Volunteer so discharged shall nevertheless be liable to deliver up in good order, fair wear and tear only excepted, all Arms, Clothing and appointments being property of the Crown, or of his Corps, issued to him, and to pay all money due or becoming due by him, under the Rules of his Corps, either before or at the time or by reason of his discharge, for any subscription or fine, or on any other account; and shall in addition thereto be liable to any penalty imposed by law for his offence, but nothing herein shall prevent the Commander-in-Chief from signifying his pleasure in such manner and giving such directions with respect to any such case of discharge as to the Commander-in-Chief may appear just and proper.

2. If any such Officer as aforesaid or any Volunteer while under arms or on march or duty with the Corps or Battalion to which he belongs or any portion thereof, or while engaged in any military exercise or drill with such Corps or Battalion or any portion thereof, or while wearing the Clothing or Accoutrements of such Corps or Battalion, and going to and returning from any place

of exercise or assembly of such Corps or Battalion, disobeys any lawful order of any Officer under whose command he then is, or is guilty of misconduct, the Officer then in command of the Corps or Battalion, or any superior officer under whose command the Corps or Battalion then is, may order the offender, if an Officer, into arrest, and if not an Officer, into the custody of any Volunteer or Volunteers belonging to the Corps or Battalion, but so that the offender be not kept in such arrest or custody longer than during the time of the Corps or Regiment or such portion thereof as aforesaid, then remaining under arms or on march or duty or assembled, or continuing engaged in any such military exercise or drill as aforesaid.

24. Any Corps of Volunteers may make, ^{Volunteers} agree upon and enter into, such articles, ^{may agree} rules and regulations for the discipline and ^{to articles,} good management of the same as they may think proper, to be sanctioned by the Officer commanding such Corps and to be by him transmitted for the approval of the Commander-in-Chief; and any such articles, ^{Subject to} rules and regulations, in so far as they are ^{approval} not inconsistent with this Act, shall, when ^{and then} so approved, but not before, be enforced, and the penalties which may be thereby imposed shall, whenever they are incurred, be recoverable in the manner mentioned in any of the sections of *An Act respecting the Militia*, incorporated with this Act, by the

Officer designated for that purpose in such rules and regulations, to such uses as may be therein directed.

Inspection
of Volun-
teer Corps,
their Arms,
Clothing,
&c., by pro-
per Officers.

25. The several Corps of Volunteers and the Clothing, Arms, Accoutrements and Armouries, shall be subject to inspection, from time to time, by such Officer of Her Majesty's Service as may be appointed for that duty, by the Officer commanding Her Majesty's Forces in this Province, with the sanction of the Commander-in-Chief; and shall also be subject to inspection, from time to time, by such Officer or Officers (not being under the rank of Field Officer) of Volunteers as shall be temporarily appointed by the Commander-in-Chief for that purpose, and who shall report fully to the Commander-in-Chief on the state and efficiency of each Corps, and of its Clothing, Arms and Accoutrements, and of the Armouries, and who shall be reimbursed by the Province, his or their actual travelling expenses, and paid for such service at a rate not exceeding four dollars per diem whilst so engaged.

Officers to
report on
their state.

Pay.

Punish-
ment of
Volunteers
wrongfully
destroying,
&c., proper-
ty in their
possession
as such.

44. If any person designedly makes away with, sells, pawns, wrongfully destroys, wrongfully damages, or negligently loses, any property or thing issued to him or in his possession as a Volunteer—or wrongfully refuses or wrongfully neglects to deliver up, on demand, any property

or thing issued to him or in his possession as a Volunteer,—the value thereof shall be recoverable from him, with costs, as a penalty under this Act is recoverable; and he shall also for every such offence of designedly making away with, selling, pawning, or wrongfully destroying as aforesaid, be liable, on the prosecution of the Commanding Officer of the Corps or Battalion, to a penalty not exceeding twenty dollars, nor less than five dollars with or without imprisonment for any term not exceeding six months.

45. If any person knowingly buys or takes in exchange from any Volunteer or any person acting on his behalf,—or solicits or entices any Volunteer to sell,—or knowingly assists or acts for any Volunteer in selling,—or has in his possession or keeping, without satisfactorily accounting for, any Arms, Clothing, or appointments being the property of the Crown or property of any Volunteer Corps or Battalion, or any public stores or ammunition issued for the use of any such Corps or Battalion he shall, on the first commission by him of any such offence, be liable to a penalty not exceeding fifty dollars, and shall, on a second and every other subsequent commission by him of any such offence, and on being convicted thereof in the like course of proceedings as that in which any such penalty is recoverable, be liable to a penalty not exceeding fifty

Punish-
ment of per-
sons buying
Arms,
Clothing,
&c., of Vo-
lunteers or
enticing or
assisting
them to sell
the same.
&c.

dollars nor less than twenty-five dollars, with or without imprisonment for any term not exceeding six months, with or without hard labor.

Punish-
ment for
damaging
targets or
butts, &c.

46. If any person wilfully commits any damage to any butt or target belonging to or lawfully used by any Volunteer Corps or Battalion, or without the leave of the Commanding Officer of the Corps or Battalion, searches for bullets in, or otherwise disturbs the soil forming such butt or target, he shall for every such offence be liable on the prosecution of the Commanding Officer, to a penalty not exceeding twenty dollars, with or without imprisonment for any term not exceeding six months.

Refusal to
make rolls,
&c.

81. Any person refusing or neglecting to transmit, as herein prescribed, any Militia roll or return, or copy thereof, required by this Act or by any lawful authority or wilfully making any false statement in any such roll, return, or copy, shall thereby incur a penalty of one hundred dollars for each offence.

Neglecting
to attend
muster, or
misbehav-
ing thereat,
&c.

84. Any Officer, Non-Commissioned Officer or man, who neglects or refuses to attend any muster or inspection or parade at the place and hour appointed therefor, or who refuses or neglects to obey any lawful order at or concerning the same, shall thereby incur a penalty not exceeding five dollars for each offence.

85. Any person who interrupts or hinders any of the Militia at muster or inspection or parade, or trespasses on the bounds set out by the proper Officer for the same, shall thereby incur a penalty not exceeding ten dollars for each offence, and may be taken into custody and detained by any person by the order of the Commanding Officer, until such muster or inspection or parade be over for the day.

Hindering
Militia at
drill.

86. Any Officer, Non-Commissioned Officer or man, of the Militia, disobeying any lawful order of his superior Officer, or guilty of any insolent or disorderly behavior towards such officer, shall thereby incur a penalty not exceeding ten dollars for each offence.

Disobeying
orders, &c.

87. Any Officer, Non-Commissioned Officer or man, of the Militia, who fails to keep any Arms or Accoutrements delivered or entrusted to him in proper order, or who appears at muster or inspection or parade, or on any other occasion, with his Arms or Accoutrements out of proper order or unserviceable, or deficient in any respect, shall incur a penalty not exceeding five dollars for each such offence.

Not keeping
Arms, &c.,
in proper
order.

88. Any Officer, Non-Commissioned Officer or man, of the Militia, who, without the consent of his Commanding Officer, sells or disposes of any horse which has been drilled for the purposes of the Militia, or which he

Selling
without
leave any
horse drill-
ed and ap-
proved for
any Troop,
&c.

has undertaken to furnish for such purposes, and which has been approved by the Commanding Officer, shall thereby incur a penalty not exceeding thirty dollars for each offence.

Unlawfully disposing of Arms, &c. **89.** Any person who unlawfully disposes of or removes any Clothing, Arms, Accoutrements or other articles belonging to the Crown, or who refuses to deliver up the same when lawfully required, or has the same in his possession, except for lawful cause, (the proof of which shall lie upon him) shall thereby incur a penalty of ten dollars for each offence ; But this shall not prevent such offender from being indicted and punished for any greater offence if the facts amount to such, instead of being subjected to the penalty aforesaid ;—And any person charged with any act subjecting him to the penalty imposed by this section may be arrested by order of the Magistrate before whom the complaint is made, upon affidavit shewing that there is reason to believe that such person is about to leave the Province, carrying any such Clothing, Arms, Accoutrements or articles with him.

Not to prevent indictment.

Arrest of offender about to leave the Province.

Contravening this Act where no other penalty is provided. **94.** Any person who, while the Militia is not called out for actual service, wilfully contravenes any enactment of this Act or any regulation or order lawfully made or given under it, when no other penalty is imposed for such contravention, shall there-

by incur a penalty not exceeding ten dollars for each offence, but this shall not prevent his being indicted and punished for any greater offence if the facts amount to such; and in such cases courts martial shall not be held.

No Courts martial in such cases.

95. All penalties incurred under this Act shall be recoverable, with costs, on the evidence of one credible witness, on complaint or information before one Justice of the Peace if the amount do not exceed ten dollars and before two Justices of the Peace if the amount exceeds that sum;—And any Officer, Non-Commissioned Officer or private of the Militia shall be a competent witness in any such case.

Penalties under this Act how recoverable.

Witnesses.

96. And in case of non-payment of the penalty immediately after conviction, it shall be lawful for the convicting Justice or Justices to commit the person so convicted, and making default in payment of such penalty and costs, to the Common Gaol of the judicial district, territorial division or locality in and for which the said Justice or Justices is or are then acting, or to some House of Correction or lock-up house situate therein, for a period of not less than ten days when the penalty does not exceed twenty dollars, and for a period of not less than twenty days nor more than thirty days when it exceeds the last mentioned sum.

Imprisonment in case of non-payment.

On whose
complaint
penalties
may be sued
for.

97. No prosecution against an Officer of Provincial Militia for any penalty under this Act shall be brought except on the complaint of the Adjutant or Deputy Adjutant General;—And no such prosecution against any Non-Commissioned Officer or private of the Militia, shall be brought except on the complaint of the Commanding Officer or Adjutant of the Corps to which such Non-Commissioned Officer or private belongs;—But the Adjutant or Deputy Adjutant General may authorize any Officer of Militia to make such complaint in his name, and the authority of any such Officer alleging himself to have been so authorized to make any complaint, shall not be controverted or called in question except by the Adjutant or Deputy Adjutant General.

Evidence of
authority to
sue.

Limitation
of time for
such prose-
cutions.

98. No such prosecution shall be commenced after the expiration of six months from the commission of the offence charged, unless it be for unlawfully buying, selling, or having in possession Clothing, Arms or Accoutrements delivered to the Militia; and no prosecution against any person named in the seventy-ninth section of this Act or against any Municipal Officer for any penalty under this Act, shall be brought except upon an order to that effect by or from the Minister of Militia.

Application
of penalties.

99. The penalty when recovered shall forthwith be transmitted to the Adjutant

General, who shall account for and pay it over to the Receiver General as part of the Consolidated Revenue Fund.

MISCELLANEOUS PROVISIONS.

100. It shall not be necessary that any order or notice under this Act in writing, unless it is herein required that it shall be so, provided it be communicated to the person who is to obey or be bound by it in person, either directly by the Officer or person making or giving it, or by some other by his order. Orders and notices need not be in writing if given in person.

101. All general orders of Militia, or other Militia Orders issued through or by the Adjutant General, shall be held to be sufficiently notified to all persons whom they may concern, by their insertion in the *Canada Gazette*,—And a copy of the said *Evidence*. General Orders, how notified. Gazette purporting to contain them shall be *prima facie* evidence for such orders.

102. All Orders made by the Officer commanding a Corps shall be held to be sufficiently notified to all persons whom it may concern, by their insertion in some newspaper published in the locality; or, if there be none, then by posting a copy thereof on the door of the church or of some court-house, mill, or other most public place in the Regimental Division. Regimental or Battalion Orders, how notified.

