

XXXVIII. Fines imposed under any By-law, and dues and liabilities incurred by any Volunteer Militia man may be sued for in the name of the officer commanding the company, as a private debt, before one or more Justices of the Peace, and the amount may be levied with costs, by distress; and for want of goods and chattels the offender shall be committed to Jail for a period of twelve hours for every five shillings of the fine and forfeiture.

THE REGULAR MILITIA.

XXIX. The Regular Militia shall consist of all males from sixteen to forty-five years of age, not exempt by Law, and not returned as effective members of Volunteer Militia by the officers commanding companies, in returns forwarded at such times as appointed by the Commander-in-Chief.

XL. All males, of the prescribed age, shall be accounted eligible for service in the Regular Militia until they shall have proved the contrary to the Captain of their respective districts.

XLI. Within three months after the passing of this Act, Officers commanding Regimental Districts shall cause the Captains of Company Districts to enrol every man in their respective Districts. The Captains of Regular Militia Companies shall further muster their Companies, read to them the provisions of this Act, cause each man to take the Oath of Allegiance to Her Majesty, and forward authenticated copies of their Muster Rolls to the Officer commanding their respective Regiments.

XLII. The Officers commanding Regiments shall forward authenticated Muster Rolls of their Regiments to the Commander-in-Chief at such times as he may direct.

XLIII. After the first enrollment of the Regular Militia under this Act, any Militia man, who shall move from the limits of one company district into that of another, shall give notice thereof in writing to the Captains of both Districts, within one month after such removal; and any man neglecting to give due notice of such removal shall be liable to a fine of two pounds.

XLIV. Every man after such first enrollment, liable to be enrolled under this Act in the Regular Militia, shall give in his name to the captains commanding their respective companies within one month after he becomes so liable, and any man neglecting to give such notice shall be liable to a fine not exceeding two pounds.

XLV. The Commander-in-Chief may make orders for the disciplining of the Regular Militia, prescribing the number of days for drill, not to exceed ten days in the year, and the mode and time of assembling each Regiment.

XLVI. Nothing herein contained shall prevent Officers, non-commissioned Officers, or Members of Volunteer Militia from holding Commissions as Officers, or appointments as non-commissioned Officers, in the Regular Militia; but in case of both classes being called out for actual service the Commander-in-Chief may decide with which class such persons shall be employed.

SEDENTARY MILITIA.

XLVII. The Sedentary Militia shall consist of all males in the Island of the age of forty-five years, and under the age of sixty years, not exempted or disqualified by Law nor enrolled in the active Militia.

XLVIII. The Sedentary Militia shall be carefully

enrolled, from time to time, in each company Division, by the captain thereof, who shall also transmit certified copies of the Roll to the Officer commanding the Regiment at such times as shall be directed by the Commander-in-Chief.

XLIX. All provisions of this Act for enrollment of Regular Militia shall also be applicable to Sedentary Militia

GENERAL PROVISIONS.

L. The Commander-in-chief may call out the Militia, or any part thereof, whenever, in his opinion, it is advisable so to do, by reason of war, invasion, civil commotion, or imminent danger, or any of them; and in any such case the Volunteer Force shall first take the field, then the Regular Force, and lastly the Sedentary Militia.

LI. The Officer commanding any Regiment may, upon any sudden emergency of invasion, civil commotion or imminent danger, or either, call out the whole, or any part of the Militia, under his command, until the pleasure of the Commander-in-Chief is made known.

LII. Militia, when called out by competent authority for actual service, shall, in addition to the penalties imposed by this Act, be subject to the Articles of War, and to the Act of the Imperial Parliament, for punishing Mutiny and Desertion, and to all other Laws applicable to Her Majesty's troops in this Island, except that no Militiaman shall be subject to any corporal punishment, except death or imprisonment, for any contravention of such Laws, and except also that the Commander-in-Chief may direct that any provisions of the said Laws shall not apply to the Militia.

LIII. The Militia shall not be compelled to leave this Island, but the Commander-in-Chief may accept the voluntary service of any of the Militia for service beyond this Island.

LIV. All duties of Militia when called out for actual service, or for training, shall, (except in cases of emergency), be regulated by Roster.

LV. All duties, parades, drills, target practices, &c., shall, so far as local circumstances will permit, be conducted in conformity with Her Majesty's regulations and Field Exercises for the army.

LVI. Every man shall receive at least two days notice of the musters and training at which he shall be required to attend under the authority of this Act, such notice to be given to him in person by any commissioned or non-commissioned Officer or private, having the written orders of his captain; or if he cannot be found, to be left at his abode; but in the latter case, if the man shall not receive the notice he may prove his ignorance.

LVII. The commanding Officer at any muster may name another day for re-assembling, and his orders thus given shall be a notice to every man who shall have been notified of the first day of meeting.

LVIII. When called out for actual service, or for training for more than ten days in each year, the Militia shall receive such pay from the Government and allowances as are paid or allowed to the corresponding Ranks of Her Majesty's service.

LIX. If any Volunteer or Militiaman be wounded or disabled when on actual service, he shall be provided for at the expense of the colony during his disability.

LX. In case of the loss of any officer or man