

ROYAL



GAZETTE

EXTRA.

Charlottetown, Prince Edward Island, May 21, 1866.

LAWS OF PRINCE EDWARD ISLAND.

CAP. II.

An Act for the regulation of the Militia and Volunteer Forces.

[Passed May 11, 1866.]

BE it enacted by the Lieutenant Governor, Council and Assembly, as follows:—

I. The Lieutenant Governor of this Island shall, by virtue of his office, be Commander-in-Chief of the Militia.

II. The Militia shall consist of all the male Inhabitants of the Island, of the age of sixteen years and upwards, and under sixty—not exempted or disqualified by law.

III. The following shall be exempt from service in the Militia, in any case: Clergymen, Judges of the Supreme Court, the Master of the Rolls and the Professors of any College or University recognized by Law. And the following Persons, although enrolled, shall be exempt from attending muster, and from actual muster, at any time, except in case of War, Invasion, or Insurrection, namely: The Sedentary Militia, Members of the Executive and Legislative Councils, and of the House of Assembly; Colonial Secretary and Assistant Secretary; all Civil Officers appointed to any Civil Office in this Island, under the Great Seal; All Persons lawfully authorized to practice Physic or Surgery; Half-pay and retired Officers of Her Majesty's Army and Navy; Schoolmasters, employed as such; Telegraph Operators, Postmasters, and Mail Carriers; Ferrymen; One Miller for every run of stones in every Grist Mill; All Persons disabled by bodily infirmity, and whenever exemption is claimed, the burden of proof shall always be upon the claimant.

IV. Nothing, however, shall prevent any man exempted by Law from serving in the Militia, should he desire it.

V. The Militia shall be divided into two classes, namely, Active Militia and Sedentary Militia.

VI. The Active Militia shall be subdivided into two classes, namely Volunteer Militia and Regular Militia.

VII. For purposes of enrollment and organization, each County shall be divided into as many Regimental Districts as may be decided upon by the Commander-in-Chief, and each such District shall be again divided into Company Districts. Each Regimental District to furnish one Militia Regiment;

each Company District to furnish one Regular and one Sedentary Company of Militia.

VIII. All Regiments shall be numbered; likewise, all Companies in such Regiments. The Regular and the Sedentary Company in each Company District to bear the same number.

IX. The Commander-in-Chief may, from time to time, by any Militia General Order, alter such Regimental or Company Districts, or may divide any Regiment into as many Battalions as he may deem proper, and may disband and reorganize the Militia in any District.

X. All Militia Districts and Divisions existing before the passing of this Act shall remain in force until altered under the provisions of this Act; and such of them as are allowed to remain unaltered shall be held to have been made by the proper authority, under this Act, and for the purposes thereof.

OFFICERS.

XI. All Commissions of Officers in the Militia shall be granted by the Commander-in-Chief, and during pleasure.

XII. All non-commissioned Officers shall be appointed by Officers commanding their respective Battalions or Regiments.

XIII. No Person shall be an Officer of Militia, unless he is one of Her Majesty's subjects, by birth or naturalization.

XIV. Commissions in the Militia and Volunteers, and appointments of non-commissioned Officers, existing before the passing of this Act, shall remain in force—such Commissions being subject to be cancelled by the Commander-in-Chief, and such appointments by the Officer commanding the Regiment or Battalion.

XV. No Officer of Militia or Volunteers shall assume command of Forces composed of Imperial and Militia Troops, without the order or consent of the General or other Officer in command of the Imperial Troops.

XVI. The Executive command, in time of war, of the Militia and Volunteers, is hereby vested in the Officer commanding Her Majesty's Imperial Forces in this Island.

XVII. Provided always, that all such Officers of Volunteer force appointed before the passing of this Act shall take rank and precedence in the Militia, according to the date of their Commissions as Volunteer Officers.