

while on actual service within this Island, provision shall be made for his wife and family out of the Public Revenue, the said provision to be estimated and fixed by the Lieutenant Governor in council.

LXI. It shall be lawful for the Commander-in-chief to order Militia, called out for actual service, to march from any one part of the Island to any other, and to billet or encamp them as he shall see fit.

LXII. All marching, billeting and encamping of Militia shall be conducted in accordance with Her Majesty's Regulations for the army.

LXIII. The Commander-in-Chief may cause Drill Sheds to be erected at Charlottetown, Georgetown and Summerside.

LXIV. The Commander-in-chief shall have power, by General Orders to be issued under his authority, to make such regulations as he may deem necessary on any subject connected with the Militia, provided that such regulations are not inconsistent with this Act.

ARMS, &c.

LXV. The Commander-in-chief may cause arms and accoutrements to be issued under such Regulations as he may, from time to time, deem necessary, subject to the Thirty-fifth clause of this Act, and may prescribe such precautionary measures as he deems expedient for the safe-keeping and in good order of such arms and accoutrements, and for the re-delivery thereof to such officer as may be appointed to receive them whenever the Commander-in-chief, or any purpose, directs such re-delivery.

COURTS OF ENQUIRY.

LXVI. The Commander-in-chief shall, whenever he deems it necessary, order a Court of Enquiry to assemble for the investigation of any subject affecting officers, non-commissioned officers and militiamen.

LXVII. This Court shall be composed of Officers of the Militia within this Island, but these Officers shall not be of the same company to which any member whose case may be under enquiry belongs.

LXVIII. A Court of Enquiry shall not proceed to any finding except in such cases as the Commander-in-chief may designate; and such finding, if approved by the Commander-in-chief, shall be final.

PENALTIES, &c.

LXIX. All contraventions of this Act and of Regulations made or given under it, when the Militia is not called out for actual service, shall be punishable as hereinafter provided.

LXX. Any Militiaman or other person refusing or neglecting to give any notice or information necessary for making or correcting the Roll of any Company, when demanded by the Officer commanding, or under his authority, at any reasonable hour and place, shall incur a penalty not exceeding two pounds for each offence.

LXXI. Any Militia Officer, non-commissioned Officer or man, not exempted by this Act, who neglects or refuses to attend Muster or Training at the place and hour appointed therefor, or who refuses or neglects to obey any lawful order at or concerning such muster or training, shall thereby incur a penalty of not more for each offence than two pounds; and in case of training, absence for each day shall be held to be a separate offence.

LXXII. Any person who interrupts or hinders any Militia at drill, or trespasses on the bounds set out by the proper Officer for such drill, shall thereby incur a penalty of thirty shillings for each offence, and may be taken into custody and detained by any person, by the order of the Commanding Officer, until such drill shall be over for the day.

LXXIII. Any Officer, non-commissioned Officer or Militia-

man disobeying any lawful order of his Superior Officer, or guilty of any insolent or disorderly behaviour towards such officer, shall thereby incur a penalty not exceeding two pounds for each offence.

LXXIV. Any person who unlawfully disposes of or removes any 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 five pounds for each offence; but this shall not prevent any 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 showing that there is reason to believe that such person is about to leave the Island, carrying any such arms, accoutrements or articles with him.

LXXV. Any person who wilfully contravenes any enactment of this Act, when no other penalty is imposed for such contravention, shall thereby incur a penalty not exceeding two pounds for each offence; but this shall not prevent his being indicted and punished for any greater offence if the facts amount to such.

RECOVERING OF PENALTIES AND POWER TO COMMIT TO JAIL FOR NON PAYMENT OF PENALTY.

LXXVI. No prosecution against an Officer of Militia for any penalty under this Act shall be brought except on the complaint of the Adjutant General; and no such prosecution against any non-commissioned officer or private shall be brought except on the complaint of the Commanding Officer or Adjutant of the Regiment to which such non-commissioned officer or private belongs.

LXXVII. No such prosecution shall be commenced after the expiration of three months from the commission of the offence charged, unless it be for unlawfully buying, selling or having in possession arms or accoutrements delivered to the Militia.

LXXVIII. All penalties incurred under this Act, or any regulations, orders or articles of engagement lawfully made or entered into under it, when no other mode is herein prescribed for the recovery thereof, 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 one pound, and before two Justices of the Peace if the amount exceeds that sum.

LXXIX. All penalties imposed by this Act, when recovered, shall be paid over to the Treasurer of this Island for the use of the Government.

LXXX. An Act made and passed in the twentieth year of the Reign of his late Majesty King George the Third, chapter one, intituled "An Act for the establishing and regulating a Militia." An Act made and passed in the third year of the reign of his late Majesty King William the Fourth, chapter thirty, intituled "An Act for repealing certain parts of an act intituled 'An Act for the establishing and regulating a Militia and for substituting other provisions in lieu thereof.'" An Act made and passed in the ninth year of Her present Majesty Queen Victoria, chapter six, intituled "An Act to render the Militia more efficient and to repeal certain parts of an Act therein mentioned." An Act made and passed in the fourteenth year of the reign of Her present Majesty Queen Victoria, chapter fourteen, intituled "An Act to alter and amend the Laws now in force relating to the Militia." An Act made and passed in the twenty fourth year of the reign of Her present Majesty Queen Victoria, chapter eleven, intituled "An Act to provide for the organization of a Volunteer Force for the defence of this Island." An Act made and passed in the twenty-fifth year of the reign of Her present Majesty Queen Victoria, chapter one, intituled "An Act to amend the Act to provide for the organization of a Volunteer Force for the defence of this Island;" and an Act made and passed in the twenty-eighth year of the reign of Her present Majesty Queen Victoria, chapter twelve, intituled "An Act to repeal the Act intituled 'An Act to alter and amend the Law now in force relating to the Militia and to revive certain Acts therein mentioned,'" shall be and the same are all hereby repealed.