

according to the intent & meaning of this Act, the Militia of such Counties or Ridings shall be formed into independant companies, each company, to consist of not more than fifty, nor less than twenty private men, with one Captain, one Lieutenant, and one Ensign to each company, and that the Governor, Lieutenant Governor or Person administering the Government, may when he shall think proper join together any number of such independant companies and form a battalion or battalions, or may incorporate them with any other regiment or battalion of Militia. Provided the number of Companies in any such regiment or battalion be not thereby made to exceed the number of companies of which a Regiment or battalion of Militia is herein before directed to consist.

XIX. And be it further enacted, that it shall and may be lawful for the Lieutenant of any County or Riding to act as Colonel or Commanding Officer of any Regiment, battalion or independant company of Militia for such County or Riding for and during such time as there shall not be any Colonel or Commanding Officer appointed to such regiment, battalion or independant company, but no such Lieutenant of any County or Riding, shall at any one time act as Colonel or Commanding Officer, to more than one body of Militia, whether regiment, battalion or independant company, and when the Lieutenant of any County or Riding shall take the command of any body of Militia not being by this act deemed a regiment, he shall be entitled to the rank of Colonel, except when the said company shall be formed into battalion as aforesaid.

XX. And be it further enacted, that at all times when the Militia may be called out and embodied for actual service, the Officers, non-commissioned officers and private men of the several regiments, battalions and independant companies of Militia, shall from the time of their being drawn out and embodied as aforesaid, and until they shall be returned again to their respective Towns, Townships, Parishes or places of abode remain under the Command of His Excellency the Governor, Lieutenant Governor or other General Officer having the Command of them, and shall be liable to the Provisions of such Act or Acts of this Province as may be in force for the punishment of Mutiny, Desertion, and other Crimes or may hereafter be made and be in force for the explanation, Amendment or enforcement of this Act, and for want of any Act or Acts of this Province or where the same shall not extend to punish desertion to the enemies of this Province, or any treasonable correspondance that may be held with them by any person or persons acting in the said Militia, during the time that they shall be called out, that then and in such case, the said Militia and every part thereof, shall be and considered to be under the Rules, Regulations, Pains and Penalties of any Act or Acts of the British Parliament that may be in force for the punishment of Mutiny and Desertion. Provided always, that no officer serving in any of His Majesty's other Forces, shall set in any Court Martial upon the Trial of any officer or private man serving in the Militia.

XXI. And be it further enacted, that except in time of actual service, the Judges of the Supreme Court and Clergy, the Members of the Legislative and Executive Councils and their respective Officers, the Members of the House of Assembly for the time being and the Officers thereto belonging, His Majesty's Attorney General, the Secretary of the Province, and all other Civil Officers who shall have been, or hereafter may be appointed to any Civil Office in this Province, under the Great Seal of the same, as well as all Magistrates, Sheriffs, Coroners, Half-pay Officers, Militia Officers having served under and by virtue of a Commission from any of his Majesty's Governors in the different Provinces, now States of America, the Surveyor General and his Deputies duly appointed, Sea-fairing Men actually employed in the line of their calling, Physicians, Surgeons, the Masters of Public Schools, Ferry-men, and one Miller to every Grist Mill shall be and they are hereby excused from serving in the said Militia. Provided always, that this Act and the exceptions herein contained