

a fine of *Five Shillings*; to be levied by distress and sale of the offender's goods by the Captain's or Commanding Officer's warrant directed to a Serjeant or Corporal of the company to which such person so offending belongs, who are respectively impowered to serve and execute the same, rendering the over-plus if any, after deducting the costs and charges of such distress and sale to the offender; such fine to be applied to defray the charges of purchasing drums, fifes and colours for the use of the said company.

five shillings—
to be levied by
the Captain's
warrant—

rendering the
over-plus to the
offender—
Fines to be ap-
plied in purchas-
ing drums, co-
lours, &c.

VI. *And be it enacted*, That every person inrolled as afore-
said and appearing under arms, who shall refuse or neglect to
perform such military duty as shall be required of him, or shall
on the day of muster depart from the company when under
arms without leave from the Commanding Officer, shall forfeit
and pay a fine of *five shillings* to be recovered and applied as
afore said. ALWAYS PROVIDED, that the Members of
His MAJESTY'S Council, Members of the Assembly, Justices of
the Peace, High Sheriffs, Coroners, and all persons who have
held any commission civil or military under His MAJESTY, Mi-
nisters of the Gospel, Physicians, Surgeons, School Masters,
one Miller to a Grist-Mill and one Ferry-man to every pub-
lic ferry, shall be free from being inrolled in the Militia.

Every person
enrolled, appear-
ing under arms,
and refusing to
perform military
duty, or depart-
ing without
leave to forfeit
five shillings.

Persons exempt-
ed from being
enrolled.

VII. *And be it enacted*, That no Militia Commissioned Of-
ficer shall be liable or subject to serve as Constable any law or
usage to the contrary notwithstanding.

Commissioned
officers exempt-
ed from serving
as constables.

VIII. *And be it further enacted*, That in case of an alarm,
invasion, insurrection or rebellion, every Officer of the Militia
shall have full power and authority by virtue of this act and
is hereby required forthwith to raise the Militia or Company
under his command, and every Commanding Officer of the
regiment in every county upon any alarm or receiving intelli-
gence of any insurrection, invasion or rebellion shall forthwith
dispatch an express to the Captain General or Commander in
Chief for the time being, notifying the danger and the strength
and motions of the enemy, and the said Commanding Officer
is hereby impowered to impress boats, men and horses as the
service may require; and shall draw together the Militia under
his command and march them to such place or places within
this province as he shall judge most convenient for opposing
the enemy or to such place or places within the province as
shall be directed by the Captain General or Commander in
Chief for the time being; and every Non-commissioned
Officer or private man for his neglect of such duty shall forfeit
and pay *five pounds* to be recovered and applied as afore said,
and

Every officer,
upon alarm &c.
forthwith to
raise the Militia

Commanding
officers of regi-
ments upon a-
larm or intelli-
gence of an in-
surrection &c.
to send express
to the Com-
mander in Chief
and to impress
boat horses &c.
and draw toge-
ther the Militia,
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the Commander
in Chief—
Non-commis-
sioned officers
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glecting such
duty to pay five
pounds.