

this Province shall have a right to retain for his use the sum of three pounds for every hundred pounds so collected and transmitted to the Receiver General, and in the same proportion for any greater or less sum.

**LXII.** *And be it further enacted by the authority aforesaid,* That it shall be the duty of every Colonel commanding a regiment of militia in this province, or in his absence the next senior officer, to transmit to the Treasurer of the District in which he may reside, on or before the first day of May in each and every year, during the continuance of this act, a return of all Quakers, Menonists and Tunkers, and each and every other person exempted or excused from militia duty, and the said Treasurer shall proceed against such Quakers, Menonists and Tunkers, and every person exempted in the same manner as is directed by this act. Provided always, and be it further enacted, that no person above the age of sixty years shall be considered liable to pay any sum for being so exempted or excused.

**LXIII.** *And be it further enacted by the authority aforesaid,* That no order of conviction made by any Justice or Justices of the Peace or Court Martial by virtue of this act, shall be removed by Certiorari out of the county, riding, division, or place wherein such order of conviction shall have been made, into any Court whatsoever, and that no Writ of Certiorari shall supercede execution or other proceeding upon any such order of conviction so made in pursuance of this act, but that the execution and other proceedings shall be had and made thereupon, any such writ or writs or allowance thereof notwithstanding.

**LXIV.** *And be it further enacted by the authority aforesaid,* That if any action shall be brought against any person or persons for any thing done in pursuance of this act, such action or suit shall be commenced within six months next after the fact committed, and not afterwards, and shall be laid in the county or place where the cause of complaint did arise, and not elsewhere, and the defendant or defendants in every such action or suit may plead the general issue, and give this act and the special matter in evidence at any trial to be had thereupon, and if the Jury shall find for the defendant or defendants in any such action or suit, or if the plaintiff or plaintiffs shall be non-suited or discontinue his, her or their action or suit after the defendant or defendants shall have appeared, or if upon demurrer judgement shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and have like remedy for the same, as any defendant hath in other cases to recover costs by law.

**LXV.** *And be it further enacted by the authority aforesaid,* That this Act shall be in force until the end of the next ensuing Session of the Provincial Parliament, and no longer.