

or Battalion, to limit and appoint the number of men that he shall judge necessary to be called out, and for that purpose to issue his orders to the several officers, and also to direct and authorize any officer, having first obtained a warrant for such purpose from one of his Majesty's Justices of the Peace, to impress such carriages and horses as the service may require, for the use of which the owner or owners thereof, shall be entitled to receive the sum of ten shillings per day for every cart or carriage with two horses or oxen and driver, and seven shillings and six pence for every carriage with two horses or oxen, during such time as the same shall be employed or detained on public service, and the officers impressing such carriages or horses, shall before dismissal of the same, give to the owner or owners thereof, a certificate of the time during which the said carriages or horses have been employed, or been necessarily absent in going from and returning home on such service, and such certificate shall be a sufficient authority for such owner or owners to demand and receive from the Collector of Customs, or Inspector of the District, to be paid out of any public monies in his possession, the sum mentioned in such certificate; & the said certificate shall be a sufficient voucher for the payment of such monies by the said Collector or Inspector, and shall be received as such by the Receiver General of the Province, and shall be transferable by indorsement, and any indorsee shall be entitled to receive the amount of the same from any such Collector of Customs or Inspector, who may have in his possession any public monies. / Provided always, That whenever it shall happen that only part of the Militia of this Province shall be called out for actual service, it shall and may be lawful for any person, being of the Militia of the County or Riding that may be so called out, to provide and send an able bodied man to serve in the said Militia in his stead, and such able bodied man shall be taken and received as a proper Substitute for such person, living in the County or Riding, that otherwise would be obliged to serve in the said part of the Militia called out as aforesaid.

XVI. And be it further enacted by the authority aforesaid, That every person who now is enrolled in any Regiment or Battalion of Militia, shall within six months after the passing of this Act, and every person who shall hereafter be enrolled of any Regiment or Battalion of Militia, shall within six months after such enrollment, provide himself with a good and sufficient musket, fusil, rifle, or gun, with at least six rounds of powder and ball, and shall come provided with the same at each and every time when he shall be called out either for the purpose of review, exercise, or actual service; and that every officer shall provide himself with a good and sufficient sword, and shall come provided with the same whenever he shall appear at any Militia Meeting or Parade, and if any person so enrolled, shall neglect or refuse to provide himself, or to come so provided in the case of Review or Exercise, every officer shall forfeit and pay a sum not exceeding ten pounds; and every non commissioned officer or private, the sum of ten shillings; and in the case of actual service, every officer a penalty of twenty pounds, and every non commissioned officer and private a penalty of forty shillings, to be levied in manner hereinafter mentioned. Provided always, That when and so often as any Officer or Militia man shall make it appear to his Captain, or Officer commanding the Regiment or Company, that he has not been able to procure such musket, fusil, rifle, gun or ammunition, it shall and may be lawful for such Captain, or Officer commanding such company, to admit of such excuse, and to certify the same in writing accordingly, in which case such Militia man shall not be liable to pay the said fine of ten shillings in case of review or exercise, or forty shillings in case of actual service.

Cases when the officer commanding any regiment or battalion may do so, and having obtained a warrant from a Justice of the Peace, may impress carriages and horses for the service—Rates of payment for such carriages and horses, and mode of receiving the same.

Power of appointing substitutes in the militia.

Persons enrolled in the militia shall provide themselves with arms, powder and balls.

Penalties for neglecting so to do—excuse when to be admitted for not providing arms &c.