

By a general Court Martial; and provided also that no officer of His Majesty's regular Forces shall sit on any Court Martial for the trial of any officer or militia man serving in the Militia.

XLVIII. *And be it further enacted by the authority aforesaid,* That in any case when the punishment of any offence shall be short of Death or transportation the offender or offenders may be tried by a Garrison or Regimental Court Martial being a non-commissioned officer or private militia man.

XLIX. *And be it further enacted by the authority aforesaid,* That whenever a Court Martial shall sentence any person to suffer the punishment of Death or Transportation it shall and may be lawful for the person having the power to approve of such sentence to alter the punishment and to inflict such other as he may think fit.

L. *And be it further enacted by the authority aforesaid,* That in all cases where any conviction shall be made by any Court of Quarter Sessions or Justice or Justices of the Peace, or Court Martial, for any offence against this act, such offender in addition to the amount of such fine, shall be liable to the payment of all reasonable costs and charges, and such costs and charges shall be received in like manner as the amount of such fine or forfeiture.

LI. *And be it further enacted by the authority aforesaid,* That every militia man who shall be called out and embodied for actual service shall while actually serving be exempted from arrest in any civil case for any sum under twenty pounds, and shall not be liable to serve as a Parish or Town officer, or to perform Statute labour on the Highways.

LII. *And be it further enacted by the authority aforesaid,* That if any person shall knowingly obtain, buy or exchange, or otherwise receive from any soldier, deserter or militia man or from any other person upon any account or pretence whatsoever any arms, clothes caps or other furniture belonging to the King, or any meat, drink or other provision provided under any regulations relating to the army, or any such articles belonging to any soldier deserter or militia man, as are generally deemed Regimental necessaries, or cause the colour of any such clothes to be changed, the person so offending or conviction before two of His Majesty's Justices of the Peace on the oath of one credible witness shall forfeit for every such offence the sum of five pounds, and in default of payment shall be committed to some safe place of confinement for any time not less than ten days nor more than one month.

LIII. *And be it further enacted by the authority aforesaid,* That any non-commissioned Officer or militia man who shall quit, or otherwise absent himself from his regiment, detachment, Troop or company without a furlough from his commanding officer, or who shall withdraw himself from the regiment, detachment, troop or company into which he has been embodied, in order to attach himself to any other regiment detachment, troop or company, then on service, whether of the militia or of His Majesty's regular or Provincial forces, shall on conviction thereof, be punished according to the nature of his offence at the discretion of any court martial, and in case any militia officer shall knowingly receive or entertain any such non-commissioned officer or militia man and shall not after his being discovered to be a deserter immediately confine him and give notice to the officer commanding the regiment, detachment, Troop or company in which he last served, the said officer so offending shall on conviction thereof before a general Court Martial, be cashiered.

LIV. *And be it further enacted by the authority aforesaid,* That if any person shall be convicted on the oath of one credible witness before two or more of His Majesty's Justices of the Peace, or before a Court Martial, of having advised or persuaded any non-commissioned officer or militia man to desert or absent himself from His Majesty's service while on duty, or of having discouraged, dissuaded or prevented, or of having attempted to discourage, dissuade or prevent any non-commissioned officer or militia man from volunteering for actual service, or from obeying the lawful command of his superior officer, or if any person shall be convicted as aforesaid of having received, entertained, harboured, concealed or assisted any Deserter or other person absenting himself without leave from any part of the militia on service, knowing him to be a Deserter or person absenting himself without leave, such offender so convicted shall forfeit and pay a sum not exceeding twenty pounds, nor less than ten pounds, and in default of payment shall be committed to some safe place of confinement for any time not exceeding six months, nor less than three months.

LV. *And be it further enacted by the authority aforesaid,* That every officer of the militia of this Province, shall on or before the first day of May next, and every officer who may after that day be appointed, within ten days after he shall have received his commission or appointment, before one or more of His Majesty's Justices of the Peace for the District to which his regiment or Battalion shall belong, take and subscribe the following oath, to wit, I A. B. do sincerely promise and swear that I will be faithful, and bear true allegiance to His Majesty King George, and him will defend to the utmost of my power against all traitorous conspiracies and