

company that he has not been able to procure such musket, fusil, rifle or gun, 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 five shillings in case of review or exercise, and forty shillings in case of actual service.

Penalty to be paid by every person who shall sell or buy arms, &c. delivered out of the king's stores.

XV. *And be it further enacted by the authority aforesaid,* That every person who shall sell or barter any part of the arms or equipments which may be delivered to him out of his Majesty's stores, or who shall destroy the same, and every person who shall buy, or by barter obtain such arms or equipments, shall severally and respectively forfeit and pay the sum of five pounds for every offence on conviction thereof by the oath of any one credible witness, before two justices of the peace, residing within the county where the same has been committed, and in case the person or persons so selling any part of his or their arms or equipments as aforesaid, or the person or persons obtaining the same in manner aforesaid being thereof convicted as aforesaid, shall refuse or neglect to pay the said sum of five pounds, it shall and may be lawful for the said justices by a warrant under their hands and seals, to commit such person or persons to the gaol of the county or district where the offence shall be committed, for any space of time not exceeding two months; Provided always, that it shall and may be lawful for the said justices to discharge the person or persons so offending, any time before the expiration of the said two months, when the person or persons so convicted as aforesaid, shall tender to the said justices the penalty inflicted by this act.

Punishment when the militia are embodied for actual service, for using traitorous or disrespectful words against the king or any of the Royal Family.

XVI. *And be it further enacted by the authority aforesaid,* 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 independent companies of militia shall, from the time of their being drawn out and embodied as aforesaid, and until they shall return to their respective towns, townships, parishes, or places of abode, remain under the command of the Governor, Lieutenant Governor or person administering the government, or other officer having the command of them, and shall be liable to punishment for mutiny and desertion as herein after mentioned, that is to say, that every officer, non-commissioned officer or militia man who shall presume to use traitorous or disrespectful words against his Majesty's Royal Person, or disrespectful words against any of the Royal Family, if a commissioned officer, shall upon conviction thereof before a general court martial, as herein after is directed to be established, be cashiered, if a non-commissioned officer or private, he shall suffer such punishment as by the sentence of the said court martial shall be awarded.

Punishment for behaving with contempt or speaking words to the hurt or dishonor of the Governor, &c.

XVII. *And be it further enacted by the authority aforesaid,* That any officer, non-commissioned officer or militia man who shall behave himself with contempt or disrespect towards the Governor, Lieutenant Governor or the person administering the Government for the time being, or shall speak words tending to their hurt or dishonor, shall be punished according to the nature of his offence by the judgement of a general court martial.