

lieved as aforesaid, shall ballot or draw lots for such a number of men as may be wanting to make the succeeding detachment equal to the detachment to be relieved, and the parties whose names shall be drawn, shall be liable to serve with the said detachment, but in case of a partial relief, they shall be the first to be relieved, either wholly or by ballot, according to the number to be relieved.

**Punishment in case of non-payment of the forfeitures imposed by this act.**

XXXIV. *And be it further Enacted by the authority aforesaid,* That when any person shall have been convicted of any offence against this act, and shall refuse to pay the fine, forfeiture or penalty imposed on such offender, it shall and may be lawful to and for the justice or justices before whom such person shall have been convicted, to commit such offender to the common gaol of the district, until he shall pay and satisfy such fine, forfeiture, or penalty together with the reasonable charges attending such conviction; Provided nevertheless, that no person or persons so committed, shall in any case be detained in custody longer than the space of one calendar month, except in such cases as are otherwise provided for by this act.

**Non-commissioned officer discharged from His Majesty's service shall serve in an inferior station in the militia.**

XXXV. *And be it further enacted by the authority aforesaid,* That no persons who have been discharged from his Majesty's service as non-commissioned officers, shall be obliged to serve in any station in the militia of this Province, inferior to that which they held in his Majesty's service, unless having been non-commissioned officers in the said militia, they may have been reduced according to law.

**Penalty for withdrawing or absconding from exercise.**

XXXVI. *And be it further enacted by the authority aforesaid,* That no person enrolled in the militia shall absent or withdraw himself from any place of review or exercise, without having first obtained leave of his commanding officer so to do, under the penalty of forty shillings if a commissioned officer, and ten shillings if a non-commissioned officer or private.

**Penalty for a serjeant neglecting to warn a militia man to appear at the place of enrollment.**

XXXVII. *And be it further enacted by the authority aforesaid,* That if any serjeant of the militia, when thereunto required by his superior and proper officer, shall neglect or refuse to warn the militia men of the company to which he belongs, to appear at the place of enrollment or exercise, he shall for every such neglect or refusal, forfeit and pay the sum of forty shillings.

**Serjeant in the militia exempted from serving as constable.**

XXXVIII. *And be it further enacted by the authority aforesaid,* That every serjeant of the militia, duly appointed, shall be exempt from serving as constable, for and during such time as he shall hold such appointment as serjeant.

**Such who are wounded shall be taken care of.**

XXXIX. *And be it further enacted by the authority aforesaid,* That if any person be wounded, or shall be disabled, when employed on actual service, upon an invasion, insurrection, or rebellion, he shall be taken care of and attended during the time of such disability, agreeably to his rank.

XL. *And be it further enacted by the authority aforesaid,* That when any person