

the same, and if any person or persons having in their possession such arms and accoutrements as aforesaid, shall refuse or neglect to return the same complete to the Quarter-Master of the battalion in the district where such person or persons may reside, within ten days after such public notice as aforesaid of calling in the same, shall have been given, such person or person so offending, and also every person or persons persuading, exciting, or endeavouring in any way wilfully to induce any other person so to offend, shall for each and every such offence, forfeit and pay the sum of five pounds, to be recovered upon conviction before any Justice of the Peace, upon the oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offenders goods, rendering the overplus (if any,) after deducting the costs and charges of such conviction, distress and sale to the offender, which penalty shall be paid to the Quarter-Master of the battalion in the district where such person or persons may reside, and to be by him accounted for to the commanding officer of such battalion and applied to the contingent expences of such battalion, and for want of effects whereupon to levy the said fine of five pounds, such offender shall be imprisoned not exceeding twenty days nor less than ten days: *Provided* always, that no conviction shall take place for any such offence except at the instance and prosecution of the Quarter-Master or Commanding officer of the battalion to which such arms or accoutrements shall belong.

*Persons neglecting to deliver arms, after ten days notice.*

*or inducing others to offend, to forfeit £5.*

*to be recovered before a Justice and paid to the Quarter-master and accounted for by him.*

*For want of goods, offenders to be imprisoned.*

LIV. *And be it further enacted*, That it shall and may be lawful for the Governor or Commander-in-Chief for the time being, from time to time to commission and appoint proper officers to inspect, instruct and command all the battalions of the Militia throughout the Province, or to limit the command and inspection of such officers to a particular number of battalions, or to the inspection and command of all the Militia in particular divisions of the Province, or particular Counties or Districts, as may be considered most convenient, fit, and proper; and all such officers when so commissioned and published in General Orders to the Militia, shall be obeyed in all things lawful, and all persons who shall be so placed under their respective commands.

*Commander-in-chief may appoint officers to inspect and command the Militia.*