

thirds of all the Officers of the Regiment shall have concurred therein: *And provided also*, that an account of all fines, with their appropriation as aforesaid, shall, from time to time, be rendered to the Secretary's Office, by the Colonels of Regiments, and subject to the like penalty for default; and that no Rule or Regulation made at any of the aforesaid meetings, (except only such as may relate to the establishing the limits of Districts, and numbers of men in each Company, or to the appropriation of fines,) or any warrant or command thereupon, shall be of any force or validity, until the same shall have been transmitted to the Governor, and shall have received his approbation.

CXXII. *And be it enacted*, That if any Officer shall neglect to attend any board or meeting of Officers, established and required by this Act, when ordered by the Colonel of the Regiment to which such Officer may belong, without reasonable excuse, to be adjudged by a Board of Officers, appointed under this Act, he shall, for each offence, forfeit and pay as follows: if a Field Officer, Five Pounds; if a Captain, Three Pounds; and if a Subaltern, Two Pounds.

Field Officer,
&c. neglecting to attend Board of Officers to be fined

CXXIII. *And be it enacted*, That every Officer who shall remove from the County or District to which his Regiment belongs, or who, from other causes, is not attached to any Regiment, but retains a Commission in the Militia, shall be liable to sit on Courts Martial, and to perform the other duties of his rank, when thereto required by his superior Officer, and may, in case of necessity or vacancy, be ordered to take his station in the Regiment of the County or District in which he shall reside; and, in case of refusal or neglect to obey such orders, such Officer shall be tried by a General Court Martial, and, on conviction of such offence, be deprived of his Commission.

Officers removing from the District to which their Battalions belong

CXXIV. *And be it enacted*, That no Officer who has been, or hereafter may be cashiered by the sentence of a general Court Martial; no Officer who may hereafter resign his Commission in the Militia; and no Officer who has been heretofore dismissed Her Majesty's Service, or who shall neglect, within six months after the publication of this Act, to qualify himself for the duties of his station, (and shall, upon the representation of the Colonel of the Regiment to which he belongs, be on that account deprived of his Commission by the Governor,) shall be entitled to any rank or privilege from having held such Commission, or exempted from enrolment, or the performance of the duties of a private.

Reduced Officers

CXXV. *And be it enacted*, That any Officer, who shall have been heretofore nominated and appointed, or who may be hereafter nominated and appointed to any Regiment, and who, being notified of such appointment by the Colonel of such Regiment, shall not, within Three Calendar Months thereafter, take out his Commission, shall be liable to be superseded, or shall only take rank from the day on which such Commission shall be taken out which day, if such Commission shall not be taken out within Three Months as aforesaid, shall be inserted therein as the date thereof.

Date of Commission

CXXVI. *And be it enacted*, That it shall and may be lawful for the Governor, from time to time, to commission and appoint proper Officers to inspect and command all Regiments of Militia throughout the Province, or to limit the command and inspection of such Officers to a particular number of Regiments, 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; and all such Officers, when so commissioned and published in General Orders to the Militia, shall be obeyed in all things lawful, by all persons who shall be so placed under their respective commands.

Appointment of inspecting Officers

CXXVII. *And be it enacted*, That the Adjutant General and Quarter Master General of Militia shall be exempt from serving on any Jury.

Adjutant Genl. and Quarter Master Genl. exempt from serving on a Jury

CXXVIII. *And be it enacted*, That the Negroes, or People of Colour, shall be set apart by the Colonel of the Regiment, and formed into Companies or Bands of Pioneers, as their numbers may admit, to be commanded by such trusty Non-commissioned Officer of Colour, or otherwise, as the Colonel may appoint; under which Non-commissioned Officer such Companies or Bands of Pioneers shall assemble and train, at such times as the Colonel shall direct, so as that no greater share of any Militia duty be imposed on such Negroes or Men of Colour, than by this Act to be imposed on other Militia-men.

Negro Militiamen

CXXIX. *And be it enacted*, That no action shall be brought against any person for any thing done in pursuance of this Act, unless the same be commenced within Three Calendar Months next after the act done; and the Defendant, in such action, may plead the general issue, and on the Trial give this Act and the special matter in evidence.