

cute the same, rendering the overplus, if any, after deducting the costs and charges of such distress and sale to the offender, and if no effects shall be found whereon to levy the said Fine, such offender shall be sentenced to hard labour or imprisonment not exceeding Ten days, all which Fines shall be applied to defray the contingent expences of the Regiment or Independent Company to which such offender may respectively belong. And every commissioned officer when called out as aforesaid, shall appear with a Sword or Hanger, and for not so appearing shall forfeit and pay for each and every neglect the sum of Forty Shillings, to be recovered as aforesaid.

VIII. *And be it further enacted*, That every person enrolled as aforesaid, who shall refuse or neglect to appear agreeable to the provisions of this Act when called upon, shall forfeit the sum of Ten Shillings, or appearing under arms shall refuse or neglect to perform such Military duty as shall be required of him, or shall on the day of muster or training depart from the Company when under arms, without leave from the commanding officer, shall forfeit and pay for each and every offence the sum of Twenty Shillings, to be recovered and applied as aforesaid. *Provided always*, That the Members of His Majesty's Council, Members of the Assembly, Justices of the Peace, High Sheriffs, Coroners, licensed Clergymen, all persons who have held any commission, civil or military, under His Majesty, the Surveyor-General, and the Treasurer of the Province, Officers of His Majesty's Customs, Revenue and Naval officers, Gentlemen of the learned professions, and one Miller to each Grist-Mill, and one Ferryman to each established Ferry, shall be free and exempted from being enrolled in the Militia in manner herein after mentioned, all which Fines shall be paid into the hands of the Colonel or commanding officer, to defray the contingent expences of the Regiment.

IX. *Provided always, and be it further enacted*,

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That

For want of effects whereon to levy the Fine, offender to be sentenced to hard labour or imprisonment not exceeding Ten days.

Fines applied to defray contingencies.

Officers to appear with swords under penalty of 40s.

Persons not appearing, to forfeit 10s.

or appearing & refusing to do duty, to forfeit 20s.

Persons exempted from being enrolled,

Fines how applied.