

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 twenty shillings.

Penalty for withdrawing from review, &c.

III. *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 serjeant's refusal or neglect to warn.

IV. *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 when required by his captain or next commanding officer, he shall for every such neglect or refusal, forfeit and pay the sum of forty shillings.

Serjeants exempt from serving as constables.

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

General meeting, when.

VI. *And be it further enacted by the authority aforesaid.* That on the fourth day of June, in each and every year, respectively, or in case it shall happen on a Sunday, then on the next day, and oftener if thereunto required, there shall be a general meeting and review of the several battalions of militia in each and every district of this province, at which time the

Captain, &c. to make returns.

captain, or officer commanding each company, shall give to his colonel, or in his absence, to the next senior officer, fair written rolls of their respective companies, which colonels, or other commanding officers, shall transmit the same to the lieutenant, or deputy-lieutenant, or in his or their absence, to the lieutenant-governor or person administering the government, under the penalty of five pounds for each captain, or other officer as aforesaid, who shall neglect or refuse so to do.

Penalty for neglect.

No allowance to the adjutant-general.

VII. *And be it further enacted by the authority aforesaid,* That no provincial allowance shall be made to the adjutant-general of the militia, any law to the contrary notwithstanding.

Persons disabled how provided for.

VIII. *And be it further enacted by the authority aforesaid,* That if any person be wounded, and shall be disabled upon any invasion, insurrection, or rebellion, he shall be taken care of, and provided for by the public, during the time of such disability.

24 clause of former act repealed.

IX. *And be it further enacted by the authority aforesaid,* That the twenty-fourth clause of an act of the legislature of this province, entitled "An act for the better regulation of the militia in this province" be, and the same is hereby repealed.

Fines, &c. how to be recovered and applied.

X. *And be it further enacted by the authority aforesaid,* That the fines, forfeitures and penalties by the said act imposed, or by this act imposed, shall be sued for and recovered by, and upon the oath of any one credible witness before any two of his Majesty's justices of the peace, and within two months after such conviction and recovery shall be transmitted by the justices before whom such information shall be laid, to the lieutenant, or in case there be no lieutenant, or that he be absent, to the deputy-lieutenant of the county where the offence

* No 9. § 11
(a) No 9. § 24. No 2. authorizing imprisonment