

time of exercise or duty, if necessary, to prevent the continuance of such wilful interruption; and the person so offending shall forfeit and pay the sum of Ten Shillings for every offence.

CX. *And be it enacted*, That whenever it shall or may be necessary for any man, in going or returning to and from his place of abode, for the purpose of attending at, or returning from, any meeting for Training or Drill, or other Militia duty, to cross any Ferry, where there shall be a Licensed Ferryman, every such man shall be entitled to, and have, a passage across such Ferry, in the boat or boats there usually plying, free and exempt of and from all cost, charge or expense, whatsoever.

Militia men on duty entitled to have a passage across a Licensed Ferry exempt from charge

CXI. *And be it enacted*, That every man, duly enrolled, according to the provisions of this Act, and who shall have been notified or required to attend any meeting for Training or Drill, shall be wholly free and exempt from arrest, under and by virtue of any civil process, during his attendance at any such meeting, or while proceeding to such meeting, or returning therefrom; and every such arrest, if made, is hereby declared to be wholly void; and every Sheriff or other Officer, actually making such arrest, shall be subject and liable to an action for damages at the suit of the party who shall be so arrested.

Militia-men while on duty free from arrest

CXII. *And be it enacted*, That no established, ordained, or settled Clergyman or Minister of the Gospel, nor any Member of Her Majesty's Executive Council, nor the Chief Justice, nor any Judge of the Supreme Court, nor the Master of the Rolls, nor the Treasurer of the Province, nor the Secretary of the Province, shall be liable to be enrolled in the Militia.

Clergyman not liable to the provisions of this Act

CXIII. *And be it enacted*, That the following persons--except such of them as are or may be holding Commissions, that is to say: the Members of the Legislative Council, the Members of the House of Assembly, the Attorney General, the Solicitor General, Justices of the Peace, having taken the oath of Office, High Sheriff's, Coroners, the Surveyor General, Officers of Her Majesty's Customs, Officers of the Colonial Revenue, Physicians, Surgeons, all such Clerks, Storekeepers, Mechanics, Labourers, and others actually employed in the Civil and Military Departments of Her Majesty's Navy and Army, who may be exempted by the Governor; one Miller to every respective Grist Mill, every licensed Ferryman, the Deputy Postmaster General, and the Clerks in his office, the Deputy Postmasters, all Mail Carriers, Fire Engine Men and Firemen, in such Towns where Fire Engine Men or Firemen are already appointed, and Quakers, duly certified as such by their Society, and every licensed Teacher, shall be exempt from any meetings for Training or Drill: *Provided*, that whenever Arms and Accoutrements shall be distributed, all the said respective persons shall be compelled, under the like penalties as hereinbefore provided, unless hereinbefore exempted from enrollment, to obtain and provide for themselves, and keep in good and serviceable order, such Arms and Accoutrements, Ammunition and other articles, as are hereinbefore required, and shall be liable to be called out, and to perform the duties of Militia-men, when called out into actual service, or find, respectively, sufficient substitutes.

Exemptions from Militia duty

CXIV. *And be it enacted*, That when any man enrolled in the Militia, shall complain to the Colonel of the Regiment to which he belongs, that, by reason of sickness, or accidental or natural infirmity, he is unable to perform the Militia duties required by this Act, it shall and may be lawful for the Colonel to order a Board of one Field Officer and two Captains, or of three Captains, to enquire into and decide on the said complaint; and it shall be lawful for such Board to apply, or cause the man complaining to apply, to any able Physician or Surgeon, residing within the County or District to which the Regiment belongs, for his certificate or opinion respecting the nature and extent of the sickness or infirmity of the man complaining--which opinion or certificate the said Physician or Surgeon is hereby required to give forthwith, without fee or reward, under penalty of forfeiting Forty Shillings for each refusal or neglect; and if, after a full consideration of the said complaint, the Board shall report thereon to the Colonel of the Regiment that the party complaining is really unable to perform the said Militia duties, the Colonel shall grant a certificate thereof accordingly, which shall exempt the said man from such duties, so long as the disability shall exist; and every Physician or Surgeon, who shall give a certificate or opinion, of the actual existence of any sickness, complaint, or disability of any man, knowing that such sickness, complaint or disability, is false or pretended, shall forfeit and pay a fine of Ten Pounds for every such offence.

Infirmities