

in like manner be obliged to provide for them, as is before directed for the tillage of their land. And whosoever shall neglect or refuse to act and to obey, in those services, or to find a man in his place who is capable of doing the work assigned, shall incur a penalty of twenty shillings for every neglect or refusal.

The Captains or other Officers commanding companies, who shall be convicted of having neglected to cause the different business of such Militia-men to be done with due precaution, and at a proper season, shall incur a penalty of fifty shillings and be deprived of their commissions.

Mode of prosecution.

XII. In all cases where the mode of prosecution for the fines and penalties inflicted by this ordinance has not been particularly directed, it is hereby declared, that wherever a fine or penalty imposed shall not exceed the sum of forty shillings, any one Field Officer of the Militia of the district where the offence shall have been committed; and where it shall exceed that sum, and the offender be liable to be imprisoned, or that the breaking of an Officer is in question, the Colonel with two Field Officers, or any three Field Officers of the district where the offence shall have been committed, is, and are hereby authorized upon an information brought before him or them, to take cognizance of, and summarily to hear all offences done in contravention of this ordinance, and to inflict the penalties thereof; to be recovered by Warrant under his or their hands and seals, and to render the monies so to be levied into the hands of the Colonel of the district, who is to be accountable for the same. Subject nevertheless, in cases where the penalties shall amount to, or exceed ten pounds, and where there shall be a condemnation to more than one month's imprisonment, or the breaking of an Officer, to an appeal before the Captain General, or in his absence to the Commander in Chief, who is hereby authorized to hear and determine the same definitively.

An open Register to be kept.

XIII. The Colonels of Militia, as well as the Field Officers of the different districts, shall always have an open register, containing therein the names of those who shall have been fined and punished, naming the parish to which they belong, mentioning the dates, and the sums which they shall have paid, the space of time they shall have been kept in prison, the causes for which they shall have been condemned, and at whose instance; together with the names of the Field Officers who shall have been present on each occasion.

Persons exempted from serving in the militia.

XIV. The Members of His Majesty's Council, the judges, the commissioners or justices of the peace, the seigniors who are *Seigneurs primitifs*, the noblesse, Officers on half pay, the religious communities, and the clergy in general, are exempted from serving in the Militia, and may each of them have one man servant