

C H A P.
VII.Penalty on
Refusal,

pany as aforesaid, to deliver, or cause to be delivered, to such and so many Person and Persons, who are, or shall be enlisted or enrolled in his or their Troop or Company, within this Province, such Arms as the respective Colonel, Lieutenant-Colonel, Major, or Captain, shall think proper for such Person or Persons in his respective Troop or Company to have: And which Arms such Person or Persons are hereby obliged and directed to receive, and to give a Receipt for the same, to such Lieutenant-Colonel, Major or Captain, under Penalty of Two Hundred Pounds of Tobacco; which said Penalty shall be recovered against such Person or Persons.

to be levied
by Execution
on Certificate
of such Offi-
cer, &c.

VI. And such Execution shall be issued by the Clerk of the respective County, on the Certificate of the respective Colonel, Lieutenant-Colonel, Major or Captain, certifying the Refusal to accept and give a Receipt for such Arms as aforesaid, directed to the Sheriff, (or Coroner, if the Person refusing should be Sheriff :) And which Execution shall be served, and the aforesaid Sum of Two Hundred Pounds of Tobacco, levied by the Sheriff, or Coroner, of the respective County, in Manner as before directed; and such Sum, when levied, shall be paid, once in every Year, to the Governor, or Commander in Chief, for the Time being, for the Uses afore-mentioned.

The Value of
such Arms
may be levied
on Execution,

And in case such Person or Persons cannot produce such Arms so received, in as good Order and Condition as they ought to be, when he or they shall be required by the respective Colonel, Lieutenant-Colonel, Major or Captain, who may have a Troop or Company as aforesaid, then it shall and may be lawful for his Excellency the Governor, or Commander in Chief, for the Time being, or some Person authorized by him, upon Application to him made by such Colonel, Lieutenant-Colonel, Major or Captain, to assess and value such Arms, so not produced: Which Valuation shall be certified by his Excellency the Governor, or Commander in Chief, for the Time being, or such Person as shall be appointed by the Governor, or Commander in Chief, for that Purpose, to the Clerk of the respective County, directing him to issue an Execution for such Value, against the Body, Goods or Chattels, of such Person or Persons not producing the Arms as aforesaid to the Colonel, Lieutenant-Colonel, Major or Captain, for the proper Use of such Colonel, Lieutenant-Colonel, Major or Captain: Which Execution shall be directed to the Sheriff, or Coroner if such Person shall be Sheriff, and shall be executed; and the Value levied and raised in Manner afore-directed, by the Sheriff, or Coroner, of the respective County; and the same shall be paid to the proper Colonel, Lieutenant-Colonel, Major or Captain, for his own Use and Benefit.

and paid to
the proper
Officer for his
own Use.Powers of Of-
ficers of In-
dependant
Companies.

VII. And whereas, there are, and may be, several Companies in Towns, Independant of the Authority or Command of the Colonels of the respective County or Counties; Be it Enacted, by the Authority aforesaid, That the Captain, Lieutenants, and Ensign, or any Two of them, shall have the same Powers and Authorities to execute this, or any other of the Laws now in Force within this Province, relating to the Militia thereof, in and over their Company or Companies, in as full and ample Manner, as the Colonel, Lieutenant-Colonel, or Majors, or any Two of them, can or may do, in and over their respective Regiments, Troops, or Companies, by virtue of this, or any other Law now in Force.

The Captains
to be liable
for Arms to
the Governor,
and the Men
to the Cap-
tains.

VIII. And also, That the Captain or Captains of such Company or Companies, within such Town or Towns, shall receive proper Arms from, and be liable and accountable to, his Excellency the Governor, or Commander in Chief, for the Time being, for such Arms, in the same Manner as is before by this Act directed with regard to the Colonel. And the Value of the Arms not produced as aforesaid, shall be set, proceeded for, levied and applied, in the same Method afore-mentioned in relation to the Colonel; and the respective Men shall be liable and accountable to such Captain for such Arms

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