

out any lett hinderance molestation or seizure of the same (unless they shall carry and have on board them prohibited goods or goods lyable to pay custome to her Majesty not coquetted or clearing for the same) without being obliged to take out Permits for such passing or repassing as aforesaid, and that the Masters of all shallops or open boats trading within this Province do pay to the severall Naval Officers or their Deputy or Deputy appointed for the granting of Permits the sum of two Shillings and six pence yearly and no more for the granting such Permits as aforesaid and shall give good security to be taken by such Officer aforesaid or their Deputy or Deputy in her Majestys Name that he & they shall and will duly observe the Acts of Trade & Navigation and other good Laws of this Province relating thereto.

And be it further Enacted that all & every Collector & Collectors of this Province shall have & receive such Fees for entring & clearing such Ships & Vessels aforesaid as are above allowed to the Naval Officers and no more, and that all Collectors & Naval Officers shall make a fair Table of their Fees and hang up in their Offices under the penalty of fifty pounds Sterling to her Majesty her Heirs and Successors for the support of Government to be recovered in any Court of Record within this Province by action of Debt Bill Plaint or Information wherein no Essoyn Protection or Wager of Law to be allowed.

Provided always that in case any person shall refuse to pay the same so by this Act limited and allowed it shall and may be lawful for the Chancellour Secretary Judge for Probat of Wills &c. Surveyor General or his Deputys Sheriff Coroner Clerk of the Council Clerk of the Court of Appeals the severall Clerks of the County Courts Cryer of the Provincial Court & the severall Cryers of the County Courts to recover the same by way of Execution against the Goods Tobacco or Chattels of the person or persons so refusing and no other. Provided always that such person or persons having no Tobacco & that shall refuse to show unto such Officer or Officers as shall collect the same such Goods and Chattels it shall be lawful for such Officer or Officers to take the Body or Bodys of such person or persons in Execution for the same. Provided also that no Officer or Officers in this Act particularly mentioned and whose Fees are hereby settled & limited shall by vertue thereof either have or cause to be levied any Execution upon the Body Goods or Chattels of any person or persons whatsoever for any Fees in this Act limited & contained without delivering or causing to be delivered a true and just account of the Fees to them due by this act as aforesaid under the hand or hands of such Officer or Officers to the person or persons to whom such Fees demanded are due as aforesaid thirty days at the least before Execution levied, and in case any of the said Officer or Officers as aforesaid shall in any wise act or do contrary directly or indirectly to this Act he or they so offending shall lose and forfeit to the party greived treble damages sustained and shall also forfeit the Sum of six thousand pounds of tobacco or forty pounds Sterling, the one moyety thereof to our Sovereign Lady the Queen her Heirs and Successors for the support of Government to be recover'd in her Majestys Name the other moyety to the party or partyes that shall sue for the same to be recovered in any Court of Record within this Province by Action of Debt Bill Plaint or Information wherein no Essoyn Protection or Wager of Law to be allow'd.

And it is further provided that if any Fees for any matter or thing hereafter to be done belonging to the Officers aforesaid by the Governour & Council so allowed and adjudged and not in this Act mention'd limited allow'd and adjudged it shall be lawful for such Officer to have such Fee or Fees as the said Governour & Council for the time being shall adjudge & allow of and no more under the penalty aforesaid to be recovered as aforesaid. This Act to endure for three Years or to the end of the next Sessions of Assembly which shall first happen after the three Years.

An Act for the ordering & regulating the Militia of this Province for the better defence and security thereof.

BE it Enacted by the Queens most Excellent Majesty by & with the advice & consent of her Majestys Governour Council & Assembly of this Province & the authority of the same that from & after the end of this sessions of Assen bly the Militia of this Province shall be mustered trained and exercised according to these Instructions & Directions following. That every Colonel Major or Captain of Foot already Commissionated or hereafter to be Commissionated by his Excellency the Governour of this Province for the time being shall have power to enlist such and so many inhabiting within this Province not hereafter excepted in their severall and respective Divisions between sixteen & sixty Years of age as they shall think fit by as equal proportions of the said Inhabitants as possibly they can to be of the Militia or Trainbands of this Province which said persons so enlisted they shall muster exercise & train in & at such places & at such certain times as to them shall seem meet or the service safety or defence of this Province shall require or as his Excellency the Governour of this Province for the time being