

Person, finding such Slave at such Time as aforesaid, in Manner aforesaid, to arrest and take up such Slave, in order to his or her Examination; and in Case such Slave shall oppose, or endeavour to escape from the Person having such Power as aforesaid, to arrest such Slave as aforesaid, it shall and may be lawful for any Magistrate, and he is hereby required to issue his Warrant, on Complaint to him made, to apprehend such Slave, and upon such Slave being brought before him to cause such Slave to be punished, by whipping on the bare Back with any Number of Stripes not exceeding thirty-nine, as by the said Magistrate shall be adjudged; any Law, Usage, or Custom, to the contrary, notwithstanding.

XLVI. *AND be it Enacted by the Authority aforesaid*, That it shall and may be lawful for any Colonel or Commanding Officer, of any Regiment, Troop, Company, or Detachment, in the Time of actual Service, in the Time of Invasion, Insurrection, or Rebellion, by and with the Consent and Approbation of the Governor or Commander in Chief, for the Time being, to impress and take up, or by Warrant under his Hand, to order to be impressed and taken up, necessary Provision, Sloops, Boats, or other Vessels, for the Transportation of the Militia over Rivers or Creeks, or the main Bay of *Chesapeak*, within this Province, together with the Rigging, Tackle, Furniture, and Apparel, belonging thereunto; and also Carts, Waggon, Draught-Horses, and Oxen, and other Conveniences, for the Land-Carriage of Provision, Arms, and Ammunition, from Place to Place, within this Province; and likewise any Manner of Tools, Utensils, or Instruments, which shall or may be wanted; and also to impress or take up, or order to be impressed or taken as aforesaid, fit and able Persons to go in Sloops, Boats, and other Vessels aforesaid; and also Labourers, Pioneers, and Artificers, who shall be thought useful in the Service. *Provided always*, That it shall not be lawful to take up or impress all or any of the Articles aforesaid, without giving a Receipt for the same, expressing therein the Use or Service for which the same shall be impressed or taken up, and a Certificate for what Use or Service such Labourers, Pioneers, or Artificers, shall be impressed, on Pain of being liable to the Action of the Party aggrieved.

XLVII. *AND be it Enacted by the Authority aforesaid*, That no Officer of the Militia of this Province, shall surrender or resign any Commission, which hereafter may be granted, unless his Surrender or Resignation, on account of Sickness, or other Incapacity, shall be accepted by the Governor or Commander in Chief, for the Time being, or shall refuse or neglect to qualify himself to act under this Law, on Pain of being enlisted as a private Man, and as such liable to the like Services and Penalties; and all Commissions granted to any Persons, which do or shall not confine them to any Corps in the County or Place wherein they shall reside, shall be and are hereby declared to be null and void: And no Officer shall hereafter presume to act as such, unless he hath or shall, before any Act done by him, as an Officer, take the Oaths to the Government as before directed, and subscribe the Oath of Abjuration, and repeat and subscribe the Test, on Pain of forfeiting the Sum of One Hundred Pounds Current Money.

XLVIII. *AND be it Enacted by the Authority aforesaid*, That all Officers and private Men of the Militia, after they shall be deemed to be provided with proper and suitable Arms, shall, as often as directed by the Colonel or Commanding Officer of the County, in their Attendance at Divine Service at their Parish Churches or Chapels, bring with them their proper Arms, in good Order, with the same Quantity of Ammunition as is required at Muster by this Act, under the Penalty of Ten Shillings Current Money for their Failure or Neglect thereof.

XLIX. *AND be it further Enacted by the Authority aforesaid*, That in Case a Detachment only shall be ordered by the Governor or Commander in Chief from the Militia of any County, to act within this Province, in Conjunction with a Detachment from the Militia of another County, such Detachment shall consist of the Persons whose Names shall be inserted in the Roll, to be returned as aforesaid to the Clerk of the County Court; and the Persons to serve on such Detachment, shall serve in the Order in which their Names shall be set down or inserted in such Roll successively, and be subject to the Command of such Officer or Officers as shall, on such Service, be appointed for that Purpose by the Governor or Commander in Chief, for the Time being, which said Commanding Officer shall be of the Militia of this Province: And the Colonel or Commanding Officer of the Regiment, Company, or Troop, to which the Persons, liable to serve on such Detachment as aforesaid, shall belong, are hereby authorized and required to impress and take up, or order to be impressed and taken up, proper and suitable Arms for the Use of the Persons to serve on such Detachment. And all and every Person and Persons liable to serve on such Detachment, to be ordered as aforesaid, who shall neglect or refuse so to do, or to find an able, sufficient, and well-armed Man, to serve in his Place or Stead, shall forfeit and pay the Sum of Twenty Pounds Current Money for every Neglect or Refusal.

L. *AND* whereas, upon certain Emergencies, in Time of Invasion, Insurrection, or Rebellion, it may be necessary to keep military Watch and Ward:

LI. *BE it therefore Enacted by the Authority aforesaid*, That upon the Order or Direction of the Governor or Commander in Chief, for the Time being, for the keeping of military Watch and Ward, every Person of the Militia of this Province, enlisted as aforesaid, who shall be warned by his Commanding Officer, or by his Order under his Hand, upon such Service, shall serve on such Watch, or find a sufficient and well-armed Man in his Room, under the Penalty of Five Pounds Current Money for every Neglect or Refusal; and commissioned Officers who shall be directed by their Commanding Officer, shall keep such Watch in Person, under the Penalty of Ten Pounds Current Money for every Default or Neglect thereof; but Captains shall not be obliged to serve in such military Watch, unless the said Watch shall consist of a Captain's Guard: And upon all sudden Emergencies, in Time of Invasion, Insurrection, or Rebellion, upon which a military Watch may be immediately necessary, the same may be appointed by each Captain; and the Captain appointing the same, shall send immediate Intelligence thereof to his Commanding Officer, and of the Reasons why he appointed such Watch; and the said Commanding Officer is hereby directed to dispatch immediate Intelligence thereof to the Governor or Commander in Chief, for the Time being, unless, upon Enquiry, he shall think such Watch to be unnecessary; in which Case such Commanding Officer shall and may direct the same to cease; and Defaulters, in this Case, shall be liable to the same Penalties as in the Case of a military Watch established by Order of the Governor or Commander in Chief.

LII. *AND be it further Enacted, by the Authority aforesaid*, That any Centry upon Guard, who shall challenge