

as aforesaid, he or she shall be whipped, as aforesaid, every such Time, by Order of the Commanding Officer who shall be present, with any Number of Stripes not exceeding forty-nine.

XXXVIII. *AND be it further Enacted by the Authority aforesaid,* That if any of the late Inhabitants of Nova-Scotia, commonly called *French Neutrals*, shall be found at any Day and Place of Training, or within View thereof, they shall be immediately ordered, by the Commanding Officer present, to depart; and if they shall not, without Delay, comply with such Order, the said Commanding Officer is hereby required to order such Person to be put under Arrest and carried away, and detained out of View of the said Place of Training until Sun-set that Day.

XXXIX. *AND be it further Enacted,* That every Commission Officer, who shall know of any Papist, or any other Person, who hath refused to take the Oaths aforesaid, and repeat the Test and subscribe the same, and the Oath of Abjuration, as aforesaid, or any late Inhabitant of *Nova-Scotia*, or *French Neutral*, or Negro or Mulatto Slave, being at any Day and Place of Training as aforesaid, and shall not behave to, order and direct about them respectively, as in and by the three last preceding Clauses of this Act is directed, such Commission Officer shall forfeit and pay, if above the Degree of a Captain, Twenty Pounds Current Money; and if a Captain or below that Degree, Five Pounds Current Money.

XL. *AND be it further Enacted by the Authority aforesaid,* That all Doubts or Disputes of or concerning Precedence or Rank, shall be settled and determined by the Governor or Commander in Chief, for the Time being, or his Order or Appointment.

XLI. *AND be it Enacted by the Authority aforesaid,* That in Case of Alarm, every Person belonging to the Militia of this Province, upon Notice thereof in any Manner, shall immediately repair with his proper Arms, or the best he has, and with nine Charges of Gunpowder, and nine sizeable Bullets at the least, to his Colours or Parade, under the Penalty of Five Pounds Current Money upon every private Man who shall neglect the same, which Parade shall be understood to be the Habitation of his Captain or Commanding Officer, unless it shall be otherwise ordered or appointed.

XLII. *AND be it further Enacted by the Authority aforesaid,* That in Case of any Alarm, Invasion, Rebellion, or Insurrection, all Officers of the Militia shall have full Power and Authority, in their respective Stations, and they are hereby enjoined, required, directed, and commanded, forthwith to raise the Militia under their Command, and to dispatch immediate Intelligence to their Commanding Officers, informing them in what Manner they intend to act or proceed, and the said Commanding Officers are hereby required and commanded to send forward the said Intelligence to the Commanding Officers of the next adjacent Counties; and the Officers aforesaid shall, in the mean Time, keep the Militia under their Command under Arms; and every Commanding Officer of a County, upon any Alarm, or receiving Intelligence of any Invasion, Rebellion, or Insurrection, shall forthwith dispatch an Express to the Governor or Commander in Chief, for the Time being, with a full Account thereof, and shall therewith signify how and in what Manner he intends to act or proceed: And the Commanding Officer of every County, with the Consent and Approbation of the Governor or Commander in Chief, for the Time being, hath hereby full Power and Authority in the Time of actual Invasion, Insurrection, or Rebellion, to impress Boats and Hands, Horses, Arms, and Ammunition, as the Service may require, and shall draw together the Militia of the County, and march them to such Place and Places, within this Province, as he shall judge most convenient for opposing the Enemy, or quelling or suppressing any Rebellion, or Insurrection, and to such Place and Places, within this Province, as shall be appointed or directed by the Governor or Commander in Chief, for the Time being. And every Field Officer, who shall wilfully neglect or refuse to perform his Duty herein required, in the Time of actual Invasion, Insurrection, or Rebellion, shall forfeit the Sum of Two hundred Pounds Current Money; and every Captain and other Commissioned Officer, for his Neglect or Refusal to perform his Duty, at such Time as aforesaid, shall forfeit the Sum of One hundred Pounds Current Money; and every non-commissioned Officer and private Man of the Militia, for his Neglect or Refusal to perform his Duty, at such Time as aforesaid, shall forfeit the Sum of Ten Pounds Current Money.

XLIII. *AND be it further Enacted by the Authority aforesaid,* That the respective Captains, and in Default of them, the next Commanding Officers of the several and respective Companies, within the Counties nearest to any Place invaded, or where any Rebellion or Insurrection shall happen, shall call together and assemble their Companies, and forthwith march them, and use their utmost Endeavours to oppose and drive off the Enemy, or quell or suppress such Rebellion, or Insurrection, if they shall judge their Force to be sufficient for that Purpose; nevertheless, the said Captains or Commanding Officers, as aforesaid, shall dispatch such Express as aforesaid.

XLIV. *AND be it Enacted by the Authority aforesaid,* That within Twenty Days after the Publication of this Act, every Master or Owner of every *Indian*, Negro, Mulatto or other Slave, above the Age of sixteen Years, shall deliver or cause to be delivered, to the Captains of the Companies in the respective Districts wherein they shall reside, a true List of all such Slaves belonging to them, on Pain of forfeiting the Sum of Twenty Shillings Current Money for Neglect thereof; from which Lists every Captain shall make three compleat Lists of the whole Number of Slaves returned to him, distinguishing therein the Sexes, Names, and Numbers of the Slaves, belonging to each Person, and shall forthwith transmit one List to the Governor or Commander in Chief, for the time being, one other List to the Colonel or Commanding Officer of the County, and retain the other List in his own Possession, under the Penalty of Five Pounds Current Money, in Case of Neglect or Refusal: And in Case of any Alarm, Invasion, Rebellion, or Insurrection, shall, (if necessary) unless it shall be otherwise provided by his Commanding Officer, appoint and leave a Detachment from his Company, to keep Guard in, and preserve the Peace of his District.

XLV. *AND be it Enacted by the Authority aforesaid,* That if any Negro, *Indian*, Mulatto, or other Slave, above the Age of sixteen Years, shall, in the Time of actual Invasion, Rebellion, or Insurrection, be found at the Distance of two Miles or more, from his or her Habitation, or the Plantation to which such Slave shall belong, without the Leave or Licence of his or her Owner or Overseer, such Slave shall be adjudged to be punished, by whipping with any Number of Stripes not exceeding thirty-nine, on the bare Back, by any Magistrate before whom such Slave shall be carried: And it shall and may be lawful for any Person,