

Members of the Executive Council :

Members of the Legislature :

The Provincial Secretary and Assistant Secretaries :

All persons appointed to any Civil Office in the Province under the Great Seal, except Notary Publics :

Persons duly authorized to practice Physic or Surgery :

Half pay and retired Officers of Her Majesty's Army and Navy :

Postmasters and Mail Carriers :

One Ferryman to each established Ferry :

One Miller to each run of Stones in every Grist Mill :

The Superintendent and Clerks, Station Masters, Baggage Masters, Telegraph Operators, Conductors, Track Masters, Car Inspectors, Locomotive and Car Foremen, Brakemen, Switchmen, Engine Drivers, and Firemen, connected with Railways in use in this Province :

Members of Fire Companies, and of Hook and Ladder Companies, in any City or Town, shall be exempt from duty beyond the limits of the same respectively :

All persons disabled by bodily infirmity, certified by any duly authorized Physician or Surgeon.

But such exemption shall not prevent any person from holding a Commission or serving in the Militia if he desires it, and is not disabled by bodily infirmity; and whenever exemption is claimed, whether on the ground of age or otherwise, the burden of proof shall be upon the claimant.

#### PENALTIES AND FORFEITURES.

84. Any officer or non-commissioned officer of Militia of this Province, appointed or to be appointed to the Active Force, or to the Sedentary Militia, who obtains under false pretences, or who retains or keeps in his own possession, with intent to apply to his own use or benefit any of the pay or moneys belonging to any non-commissioned officer or private of any Corps, shall be guilty of a misdemeanor, and be fined or imprisoned as the Court shall direct, and shall also be dismissed from the Militia.

85. Any person making an affidavit or declaration required in and by this Act, and swearing or declaring falsely therein, shall be guilty of perjury.

86. Any officer refusing or neglecting to make or transmit any roll or return, or copy thereof, required by this Act or by any lawful authority, or wilfully making any false statement in any such roll or return, or copy, shall thereby incur a penalty not exceeding forty dollars for each offence.

87. Any officer or man not exempt from attending drill, exercise, and muster, who neglects or refuses to attend the same at the place and hour appointed therefor, or refuses or neglects to obey any lawful order at or concerning such drill, exercise, or muster, or is guilty of insubordinate or disorderly conduct, shall thereby, (if an officer) incur a penalty of not more than twenty dollars nor less than eight dollars for each offence; and if a non-commissioned officer or private, shall incur a penalty of not less than two dollars nor more than five dollars for each offence.

88. If any officer, non-commissioned officer, or Militiaman, shall, during the hours of drill, exercise, or muster, or of his being under arms, or wearing the arms or accoutrements of the Corps, and going to any place of exercise or assembly of the Corps, under the command of an officer, conduct himself in a disorderly manner, or shall disobey the lawful commands of the officer or officers commanding, he may be ordered by such officer into the custody of any person be-

longing to such Corps, during the time such Corps shall there remain under arms.

89. If any officer, non-commissioned officer or man shall fail to keep any arms or accoutrements delivered or intrusted to him, in proper order, or shall appear at any drill, parade, or muster with his arms or accoutrements out of order, unserviceable, or deficient in any respect, he shall incur a penalty of not exceeding four dollars for each such offence.

90. If any person shall unlawfully dispose of or remove any arms or accoutrements, or other articles belonging to the Crown, or to the Provincial Government, or refuse to deliver up the same when lawfully required, or shall have the same in his possession, except for lawful cause, (the proof of which shall lie upon him,) he shall be liable to a penalty of twenty dollars for each offence; but this shall not prevent such offender from being indicted and punished for any greater offence if the facts amount to such, instead of being subject to the penalty aforesaid.

91. Any person purchasing any arms, accoutrements, or ammunition belonging to or issued by the Provincial Government, shall for each offence pay a fine of twenty dollars.

92. Any person charged with any Act subjecting him to the penalties imposed by the ninetieth and ninety first Sections of this Act, may be arrested by order of the Magistrate before whom the complaint is made, upon affidavit, shewing that there is reason to believe that such person is about to leave the Province, carrying any such arms, accoutrements or articles with him.

93. If any person shall entice or encourage any Militiaman to desert when on service, or assembled for drill and exercise under the twenty fourth Section of this Act, or shall aid, assist, or harbor any such deserter, knowing him to be such, every such person shall for each offence be liable to a penalty of forty dollars; and on failure of payment shall be committed to gaol for three months, unless the said fine is sooner paid.

94. If any person shall wilfully interrupt or hinder any Militiaman at drill or on duty, or at target practice, or shall trespass upon any lands or range marked out or set apart for that purpose, and refuse to leave on being required so to do, every such person shall be liable to a penalty not exceeding three dollars for each offence, and may also be taken into custody by verbal order of the commanding officer, and detained until such drill, duty or practice is performed for that day.

95. If any person shall wilfully deface or injure any target or butt used or intended to be used for artillery or rifle practice by the Militia, he shall be liable to a penalty not exceeding twenty dollars for each offence.

96. If any Physician or Surgeon shall wilfully give a false certificate under this Act, or if any person shall falsely represent himself to be a Physician or Surgeon in giving any such Certificate, or any writing purporting to be such, he shall be liable to a penalty of twenty dollars.

97. If any person shall wilfully violate any of the provisions of this Act, or any regulation or order lawfully made under it, he shall, when no other penalty or punishment is imposed therefor, be liable to a penalty not exceeding twenty dollars for each offence; provided that instead of proceeding for the penalty, such person may be indicted and punished for any greater offence if the facts amount thereto; and provided also, that nothing herein contained shall exempt any officer, non-commissioned officer or man from being pro-