

1812.

be exempted from militia duty, on account of conscientious scruples, who shall not produce to the captain or commanding officer of the district where he resides, a certificate from a licensed preacher of the gospel, or signed by the proper officer of the religious society, to which such person may belong, (except where no such society shall exist, that recourse may be had to,) in substance as follows, to wit: "I the subscriber,

of the meeting or society of _____
 in the county of _____ hereby certify that I verily do believe that _____ from his exemplary deportment, and uniform declarations; and from his frequently and usually attending with said society for public worship, is conscientiously scrupulous of bearing arms." And it shall at all times hereafter be the duty of every captain or commanding officer of a company, to enrol every able bodied white male citizen, between eighteen and forty-five years of age; and also, all those who shall from time to time arrive at the age of eighteen years, who shall reside within his bounds; and he shall without delay, notify such citizen of the said enrolment, by a proper non-commissioned officer of the company, or other suitable person by whom such notice may be proved; and in all cases of doubt, respecting the age of any person enrolled or intended to be enrolled, the person whose age is questioned, shall prove the same to the satisfaction of the commanding officer; and if any person called on to be enrolled, shall refuse to declare his true name and age, to the best of his knowledge, or the name of any person, an inhabitant of his house with which he is acquainted, he shall for each offence, forfeit and pay the sum of ten dollars, to be recovered by the said commanding officer, for the use of his company, as other fines and forfeitures are directed to be recovered by this act.

2. AND BE IT ENACTED, That no free white male citizen of the age of eighteen, and under forty-five years, shall be excused from militia duty on account of corporal inability, unless he shall obtain from the surgeon of the regiment to which he belongs, if any, or if none, from two respectable physicians of his county, a certificate that he is not of sufficient ability to perform militia duty; *Provided*, That the certificate of one physician shall be deemed sufficient to those counties where only one physician resides.

Corporal inability.

Proviso.

AND WHEREAS, The militia of this state hath heretofore been enrolled and arranged into divisions, brigades, regiments, battalions and companies, and

Sectional preamble.