

CHAP. 228. he paid over by the commanding officers receiving the same, within five days after such receipt, to their respective paymasters of regiments and extra battalions; *Provided*, that in the uniformed volunteer regiments, and extra battalion, one half of the fines collected from each company, and its officers, shall be paid over to the commanding officer of the company from which they were collected, for the use of said company; and in case of neglect or refusal of any of the said officers to execute the provisions of this section, he or they shall be fined not exceeding one hundred dollars, in the discretion of such court martial as the case may require.

Proviso.

Complement of men, how to be kept up.

32. AND BE IT ENACTED, That no commander of an uniform volunteer company shall command a company district; and the fifth regiment, the regiments of artillery and cavalry, and the battalions of riflemen, shall be and are hereby authorised to keep up their respective complements of men, by the enrolment of volunteers from the different districts within the limits of said brigades.

Persons who may join such companies.

33. AND BE IT ENACTED. That it shall and may be lawful for any person above the age of twenty-one, or between the age of eighteen and twenty-one, with the consent of their parent or parents, guardian, master or mistress, to join any uniformed volunteer company willing to receive him as member thereof; and a majority of any such uniformed volunteer company shall have power to determine and declare what and how many days of training they will have throughout the year, over and above the days herein before appointed for their exercise and training, notice whereof shall be given to such company by the commanding officer thereof; and to impose and inflict such fines and penalties on any member of such company who may refuse or neglect to attend on such stated extra days of meeting, as may be fixed and agreed on by the by-laws of such company; *Provided*, that no fine or forfeiture, for any one violation of the by-laws of such company, shall exceed ten dollars; which fines and forfeitures shall be collected in the manner as is herein after directed, for the use of the company, by a constable, or other suitable person appointed for that purpose by the commanding officer of the company; *And provided*, that no part of the by laws of said uniformed volunteer company shall infringe or be inconsistent with this act or the laws of the state.

Provisos.

New companies may be admitted into regiments, &c

34. AND BE IT ENACTED, That whenever a number of men not less than forty-eight, shall have associated themselves into an uniformed volunteer company, with an intention of joining a regiment, or extra battalion, in which there may be a vacancy, they shall report themselves to the commanding officer of said regiment, or extra battalion, who shall forthwith consult his next two eldest officers in rank, on the expediency of admitting said company into their regiment, or extra battalion; and if there shall be a vacancy of a company in such regiment or battalion, and the said officers, or a majority of them, shall be willing to receive the company, so applying, the commanding officer of said regiment or extra battalion, shall thereupon inspect, or cause his adjutant to inspect the said company, and upon its appearing that they have complied with the provisions of this act, he shall forthwith apply to the governor and council for commissions for proper persons to command said company, to be attached to said regiment or extra battalion.