

ty of the state, shall refuse to deliver up the same to any commissioned officer demanding them, such person shall forfeit and pay the sum of fifteen dollars, to be recovered as small debts are recovered in the name of the state, and for the use of the regiment or extra-battalion to which such commissioned officer may be long; *Provided nevertheless*, That no justice of the peace shall issue a warrant against any person alleged to hold or detain any arms or accoutrements belonging to the state of Maryland, contrary to the provisions of this act, unless such justice shall be satisfied by the oath of such officer or some other credible witness, that the person so alleged to hold or detain the same, has, upon application to him made by some commissioned officer in the district where he resides, refused to deliver the same to such commissioned officer.

1812.

Proviso:

28. AND BE IT ENACTED, That in case of the death, resignation, disqualification or removal out of his district of any subaltern officer, the commanding officer of the regiment or extra-battalion to which such officer may have belonged, may appoint a fit and proper person as a brevet officer, and shall immediately thereafter notify the governor of the same; and such brevet officer shall have and exercise all the powers incident to his office, in as full and ample a manner as if he was commissioned, until he shall be superceded by a commissioned officer; *Provided*, That the removal of any such officer residing in any city or town or precincts thereof to any part of the said town or city or the precincts thereof, shall in no wise be considered as the resignation of such officer.

In case of the death, resignation, disqualification or removal of a subaltern officer, the commander of the regiment may appoint a brevet.

Proviso.

29. AND BE IT ENACTED, That the militia of Allegany county shall be exempt from the regiment and battalion meetings by this act appointed and directed; but instead thereof, meet in company; and the company at Selby's-Port, and that also at the Green Glades, shall not, from their dispersed situation, be required to attend any battalion meeting; but instead thereof, they shall be compelled to meet in companies; and further, as a relief to them, the commanding officer of the battalion to which they may be attached, shall have power, in his discretion, to appoint some commissioned or non-commissioned officer to call together and exercise such portions of either of the aforesaid companies, as he, from their remote situation, may consider too distant to attend the company meetings by this act before directed; and they shall be subject to the same

Militia of Alle-gany county—  
Selby's Port and  
Green Glades.