

1812.

Proviso.

this act ; and the same, when collected, shall pay over to the treasurer of their respective Shores, for the use of the state of Maryland ; *Provided*, That in case of a brigade court-martial, the officer ordering the same shall return a list to the pay-master of the regiment or extra-battalion to which the delinquent may belong, and one to the sheriff of the county in which such person shall reside, who shall collect said fines ; and when collected, pay over to the pay-master of the regiment or extra-battalion as aforesaid.

Commanding officers of companies shall make returns to commanding officers of regiments of persons exempt from militia duty. Their duty. Collection of fines, &c.

44. AND BE IT ENACTED, That it shall be the duty of the commanding officer of each company district before the first day of October in each and every year, to make return in writing, on oath, of all Quakers, Menonists, Tunkers, and persons conscientiously scrupulous of bearing arms, exempt from militia duty, under the provisions of this act, to the commanding officer of the regiment to which he belongs, under the penalty of thirty dollars for every neglect or refusal so to do ; and it shall be the duty of the commanding officer of each regiment, before the thirty-first day of December next, and in each and every year thereafter, to cause three lists of all such persons, and of the sums of money by them respectively payable as a consideration for their exemption from militia duty, to be made out under his hand ; and one of said lists to be delivered to the pay-master of his regiment or extra-battalion ; another to be retained in his own hands, and the third to be delivered to the sheriff of the county where such persons reside ; and it shall be the duty of the several sheriffs of this state to collect all such sums of money from the persons from whom they are respectively due, in the same manner, at the same time, and upon the same terms, penalties and conditions that they or the collector of the counties collect county taxes and levies ; and the same when collected, to pay over to the pay-masters of regiments or extra-battalions.

Courts-martial may acquit delinquents.

45. AND BE IT ENACTED, That each court-martial may acquit any delinquent by them to be tried upon its appearing to such court-martial, that sickness or some such sufficient excuse was the cause of the violation of the provisions of this act, for which such person is called to trial.

Pay-masters shall give bond.

46. AND BE IT ENACTED, That before any pay-master shall act as such, he shall give bond and security to the state of Maryland, to the satisfaction of the field officers of the regiment or extra-battalion (as the case may be) to which he belongs, in the penal sum of one thousand dollars, conditioned that he will semi-annually sub-