

and the commanding officer of the regiment, in whose district such person shall reside, shall thereupon cause his name to be stricken from the muster roll of the company in which he is enrolled under a penalty not exceeding twenty dollars in the discretion of such court martial as the case may require.

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79. *And be it enacted*, That all fines imposed by this act, or arising from any of its provisions, or from the bye-laws of any company made in pursuance of the same, if not paid by the delinquent within five days, after demand made, or bill left at his place of residence, shall be recovered in the name of the state in the manner following, that is to say, the list of the delinquents under this act, or the provisions thereof with the amount of the fine or fines by them respectively incurred, certified by the President of any court martial or any other court, created or authorised by this act, or by the officer commanding the division, brigade, regiment or company as the case may be, shall be considered as a judgment and held to be conclusive evidence of such fine or fines having been incurred, and upon the said list being presented to any justice of the peace of the city of Baltimore, it shall thereupon be his duty forthwith to issue an execution in the name of the state, for the use of such division, brigade, regiment or company against each delinquent as aforesaid upon such list, which execution shall be directed to any constable of said city, whose duty it shall be to execute the same and enforce the payment of such amount with costs, and from such proceeding there shall be no appeal, other than is hereinbefore prescribed.

Fines, how collected proceedings directed.

80. *And be it enacted*, That the justice issuing such execution and the constable serving the same, shall be allowed such fees as are allowed by law, for issuing and serving like process in cases of small debts.

Executions and fees.

81. *And be it enacted*, That the several provisions of this act for enforcing attendance at parades, obedience to orders and requisitions of the civil authority, and reports to be made of men and arms, and the restraining improper or disorderly conduct in officers or others, the preservation of arms belonging to the state, the enforcing of penalties under company bye-laws, and collection of fines, shall prevail and be enforced in the cavalry attached to the third and fourteenth brigades in the like manner as with other militia thereof, but the fines incurred by company officers and privates shall be applied under the direction of the commanding officers to the uses of the company to which they belong and when collected shall be paid over to such person as the commanding officers of the company shall appoint, and all other fines shall when collected, be paid over to the paymaster of the regiment and be applied to regimental purposes under the direction of the commanding officer thereof.

Provisions of this act applied to the cavalry.

82. *And be it enacted*, That the act for the better regulation of the militia of the city of Baltimore, passed the sixteenth day of February eighteen hundred and eighteen, with the several supplements thereto, be and the same are hereby repealed, and all such provisions of the several militia laws of the state, as shall be found repugnant to or inconsistent with the provisions of this act, shall cease to have effect within the limits of said division; *Provided however*, that whenever the militia of said division, or any part thereof shall be called into actual service, they shall in all respects be subject to the like regulation and orders as the other militia of this state.

Former acts inconsistent with this act repealed.

Proviso.