

tions 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 by-laws, and collection of fines, shall prevail and be enforced in the cavalry attached to the third brigade, in the like manner as with the 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 applied to regimental purposes, under the direction of the commanding officer thereof.

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71. *And be it enacted,* That the artillery company in the city of Baltimore, called The First Marine Artillery of the Union, commanded by captain George Stiles, and composed of masters and mates of vessels, sea faring people, not liable to militia duty, shall be and hereby is confirmed and continued as an independent company, to be attached to the third brigade, with power to pass and enforce by-laws and regulations for enforcing discipline and the attendance of its members, the election of officers, times and places of meeting for training, the purchase, repair, and safe keeping of arms, guns, ammunition and equipments, and the collection of fines; *Provided,* that no persons but the masters and mates of vessels, belonging to the city of Baltimore, or persons not liable to militia duty, shall be members of the said company, and that the said company shall not be liable to militia duty, except when it shall be called into actual service by the president of the United States, the officer commanding the third division, or the officer commanding the third brigade of the militia of this state, in the cases where by the constitution and laws of the United States, or of this state, the said president or officers shall be respectively authorised to call out for actual service the militia composing the said third brigade.

First Marine Artillery.

72. *And be it enacted,* That the said company shall consist of any number of persons of the descriptions mentioned in the preceding section, or any of them; and that the governor and council shall from time to time commission the usual officers for the said company, as vacancies may occur; provided that no such commission shall be granted to any person not previously recommended by the said company.

Proviso,

—may consist of any number

73. *And be it enacted,* That if any suit or action shall be brought or commenced against any person or persons for any thing done in the execution of the provisions of this act, the defendant or defendants may plead the general issue, and give this act and the special matter in evidence.

General issue may be plead.

74. *And be it enacted,* That all such provisions of the several militia laws of this state, as shall be found repugnant to, or inconsistent with, the provisions of this act, shall cease to have effect within the limits of the said brigades, provided however, that whenever the militia of said brigades or any part thereof, shall be called into actual service, they shall in all respects be subject to the like regulation and orders as other militia of this state.

Laws repugnant to this act repealed.

75. *And be it enacted,* That nothing in this act shall be taken or construed to extend to any part of the militia of this state, except the third and fourteenth brigades as aforesaid,

Not to relate to militia in other parts of the state.