

respectively appoint, within three weeks after they shall become due, but in case of any neglect or refusal to pay any of the said fines, the same shall be collected and levied in the manner herein after described.

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VI. AND BE IT ENACTED, That in all cases where a militia-man may be draughted to perform a tour of duty under the laws of this state, he shall be considered as a foldier, and liable to all the duties as such, unless he shall furnish a substitute, and the lieutenant-colonel of the regiment, or commanding officer of the extra battalion, as the case may be, to which he may belong, shall be the sole judge of the qualification of said substitute, and may receive or reject him at his discretion, and if the said substitute should be rejected, the lieutenant-colonel may proceed to furnish one in the manner prescribed by the act to which this is a supplement, saving the right of appeal given by the said act.

Militia-men draughted considered as foldiers, &c.

VII. AND BE IT ENACTED, That all persons conscientiously scrupulous of bearing arms, and who refuse to do militia duty under this law, shall be liable to pay the sum of three dollars annually, to be recovered and applied by the lieutenant-colonel as other militia fines by this law are; and that the eighteenth section of the act to which this is a supplement shall be and the same is hereby repealed.

Certain persons to pay, &c.

VIII. AND BE IT ENACTED, That in all cases where there are extra battalions, the officer commanding every such extra battalion shall have the same powers that are by this law given to the lieutenant-colonel of any regiment; and on days of battalion meetings, the officer commanding shall have the same powers as the commandants of regiments of appointing courts-martial, and regulating the same.

Powers given to commanders of extra battalions.

IX. AND BE IT ENACTED, That if any by-stander shall interrupt, molest or insult, any officer or foldier while on duty at any muster, or shall be guilty of like conduct before any court as aforesaid, the commanding officer, or such court, may cause him to be confined for the day.

By-standers may be confined, &c.

X. AND BE IT ENACTED, That if a sudden invasion shall be made into any county in this state, or in case of an insurrection in any county, the commanding officer in such county is hereby authorized and required to order out the whole, or such part of his militia as he may think necessary, and in such manner as he may think best, for repelling such invasion or suppressing such insurrection, and shall call on the commanding officers of regiments in the adjacent counties for such aid as he may think necessary, who shall forthwith, in like manner, furnish the same; and it shall be the duty of the commanding officer aforesaid to communicate to the commander in chief, as soon as possible, information respecting the said insurrection or invasion; and for assembling the militia required upon such occasions, or by orders of the executive, the same measures shall be taken to summon them as is directed in the case of musters; but no militia officer, other than the commander in chief of the militia of this state, shall order out any part of the militia of this state to suppress any insurrection within the same, unless required so to do by three justices of the peace, in writing, under their hands and seals.

In case of invasion militia may be ordered out, &c.

XI. AND BE IT ENACTED, That it shall be the duty of every captain, or other commanding officer of a company, to give notice of every muster day to the non-commissioned officers of the company, who shall immediately thereupon give notice thereof to each private of the company, either personally, or by leaving a notice in writing at the place of abode of such private.

Captains to give notice, &c.

XII. AND BE IT ENACTED, That it shall be the duty of the brigadier-general to appoint the days of meeting of each regiment, battalion and extra battalion, so that it will be in the power of the brigade inspector to attend the said meetings, and if the brigade inspector neglects to attend on the respective days so appointed by the brigadier, he shall be subject to a fine, to be imposed by the commanding officer of such regiment or battalion, not exceeding thirty dollars, nor less than ten dollars, unless he can make a reasonable excuse to the commanding officer of the regiment or battalion which he was to attend.

Brigadierto appoint days, &c.

XIII. AND BE IT ENACTED, That it shall be the duty of the brigade inspector to attend the brigadier-general when required, to receive and execute all orders necessary to carry into effect the provisions of this law, and upon refusal or neglect, to be subject to a fine, not exceeding thirty dollars, nor less than ten dollars, unless he can make a reasonable excuse to the commanding officer of the brigade.

Brigade inspector to attend, &c.

XIV. AND BE IT ENACTED, That it shall be the duty of the adjutant of each regiment to attend and execute the orders of the commanding officer of the regiment, or extra battalions, necessary to carry into effect the provisions of this law, and upon refusal or neglect, to be subject to a fine, not exceeding fifteen dollars, nor less than five dollars, at the discretion of a regimental court-martial, unless he can make a reasonable excuse to the commanding officer of the regiment or extra battalion which he was to attend.

Adjutant to attend, &c.

XV. AND BE IT ENACTED, That if any non-commissioned officer or private, who has a musket or gun, shall appear in the ranks, or at any time during exercise, without it, he shall be fined, at the discretion of a company court-martial, in a sum not exceeding four dollars, nor less than fifty cents, unless he can make a reasonable excuse to the commanding officer of the company, battalion, extra battalion or regiment, as the case may be.

Penalty for appearing without arms, &c.

XVI. AND BE IT ENACTED, That the company in Washington county now under the direction of captain Johnson, near Hancock-town, be exempt from exercising in battalion or regiment, as directed by this law.

Company exempt, &c.