

CHAP
C.

Field-officers to
appoint a day,
&c.

XVII. AND BE IT ENACTED, That the field-officers now having, or that may hereafter have, the command of the militia of Allegany county, be and they are hereby authorized and empowered to appoint some day or days, not exceeding four in each year, for the persons composing, or who may hereafter compose, the militia of said county, to meet and exercise at such place or places in said county as the field-officers of said county may deem convenient, in battalion or companies, as may be most expedient, instead of meeting in regiment.

Persons liable
to fines, &c.

XVIII. AND BE IT ENACTED, That the persons composing, or who may hereafter compose, the militia of said county, shall be liable to the same fines and forfeitures for not attending at such meeting or meetings aforesaid as they would have been liable to in not attending the meetings in regiment or battalions.

To be only one
meeting, &c.

XIX. AND BE IT ENACTED, That the field-officers of said county shall not direct more than one meeting of each battalion in said county in any one year.

Colonels to
make out lists,
&c.

XX. AND BE IT ENACTED, That the lieutenant-colonels or commanders of extra battalions shall, on or before the first day of March in each year, make out three lists of fines imposed in virtue of this act, one of which they shall return to the treasurer of his shire, another to the paymaster of the regiment or extra battalion, and the other he shall deliver to the sheriff of his county for collection, and take his receipt therefor; and the said sheriff shall, on or before the twentieth day of October ensuing, account for the amount of such lists to the paymasters aforesaid; and should any person so charged with fines refuse or neglect to pay the same on or before the tenth day of August in any year, the sheriff is hereby directed and authorized to execute for the same, either by distress and sale for the recovery thereof, in the same manner as is directed in the collection of the county charges, or in case no property can be found, then and in such case the said sheriff may execute the person so chargeable, and confine him in prison until the same is satisfied, with costs of imprisonment, or until the person is otherwise legally discharged; and the said sheriff shall, for the collection of all fines in virtue of this act, be allowed six *per cent.* commission, as a compensation for his services; and in case the said sheriff shall refuse or neglect to pay over any sum or sums of money by him received, or which he shall be answerable for, to the paymasters aforesaid, by the time required by this act, it shall and may be lawful, and the several county courts are hereby required, upon motion made on behalf of any of the paymasters aforesaid, and on their producing to the court before whom such motion shall be made a stated account of the demand, supported by such affidavit or voucher as the court shall reasonably require, to order a judgment to be entered, and an immediate execution to issue thereon against the person or property of such sheriff, to levy and compel the payment of such sum of money so due and payable, provided that a copy of the demand, and notice of such intended motion, be delivered in writing to such sheriff, or left at his last place of abode, for the space of twenty days previous to the sitting of the court at which such application shall be intended, and that proof thereof be made to the satisfaction of the court; and provided also, that if such sheriff shall, in person or by attorney, controvert the demand, and desire a jury to be empannelled to ascertain the sum of money really due and payable, the court shall, at the same term, direct a jury to be empannelled and charged to try and ascertain, whether the said sheriff be chargeable with, and liable to pay, any and what sum or sums to the said paymasters claiming and authorized to receive the same, and the court are hereby empowered and required, upon the verdict of such jury, to pass judgment, upon which there shall be no writ of error, superseas, injunction or appeal, and to award execution thereon as upon other cases of judgments in said courts; provided, that if at the expiration of five days after any person is imprisoned under this act, he shall satisfy two justices of the peace that he is unable to discharge the said fine, the said justices shall and they are hereby authorized to release the person so imprisoned, and give a certificate thereof, under their hands and seals, to the sheriff, and such imprisonment and release shall be deemed and taken in full satisfaction of the fine and fees of imprisonment; and the sheriff shall be allowed twenty-five cents per day for every day such prisoner shall be in custody, and in case of a discharge as aforesaid, the said sheriff shall lay his account for the *per diem* allowance before the levy court of his county, who shall levy the same in the county levy.

Paymasters to
pay over, &c.

XXI. AND BE IT ENACTED, That the paymasters shall pay over to the lieutenant-colonel, or commanders of extra battalions, all monies arising under this act by him received, within thirty days after receipt of the same, and in case of refusal or neglect, the lieutenant-colonels, or commanders of extra battalions, shall have the same remedy against him as he has against the sheriffs.

Monies may be
applied, &c.

XXII. AND BE IT ENACTED, That the commanders of regiments and extra battalions shall apply so much of the money arising from fines to be recovered under this act towards the purchasing of colours, drums and fifes, and the payment of drummers and fifers at regimental, battalion and company meetings, established by this law, as will be sufficient to purchase and provide the same, and return an account thereof annually to the treasurer of the western or eastern shire; and that the said commanders pay into the treasury of their respective shires such balances as may remain in their hands, after satisfying the purposes aforesaid.

One company
of infantry to
each regiment,
&c.

XXIII. AND BE IT ENACTED, That there shall be one complete company of infantry annexed to each regiment within this state, to be furnished with arms and accoutrements at the expense of the state, so far as the state may now be in possession of them; that the said companies shall consist of one captain, one lieutenant, one ensign, four serjeants, four corporals, one drummer, one fifer and sixty-four privates, and shall be composed of men between the ages of twenty-one and thirty years, (except the commissioned officers,) taken from the regiment to which said company shall be attached, and shall always be complete, either by volunteers, or draughts from the regiment; and the privates and non-commissioned officers of the said company, as they shall respectively arrive at the age of thirty years, shall be dismissed from the company, and their vacancies filled by volunteers, or draughts from the regiment, in the same manner as the company