

court-martial, unless he can make a reasonable excuse to the commanding officer of the regiment or extra battalion which he was to attend. Ibid. § 14.

15. 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. Ibid. § 15.

16. The company in Washington county now under the direction of captain Johnson, near Hancock town, shall be exempt from exercising in battalion or regiment, as directed by this law. Ibid. § 16.

17. The field-officers now having, or that may hereafter have the command of the militia of Allegany county, 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. Ibid. § 17.

18. 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 battalion. Ibid. § 18.

19. The field-officers of said county shall not direct more than one meeting of each battalion in said county in any one year. Ibid. § 19.

20. 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 chargable, 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 impannelled to ascertain the sum of money really due and payable, the court shall, at the same term, direct a jury to be impannelled and charged to try and ascertain whether the said sheriff be chargable with, and liable to pay any and what sum or sums to the said paymasters.