

MILITIA.

The roll to be called, and a return of the absentees made to the commanding officer present, and the persons so absent, or departing before they are discharged, liable to be fined. 1793, ch. 53, § 14.

Penalty on officers and soldiers refusing or neglecting to attend, &c. and manner of collecting the fines. *Ibid.* § 15, 1798, ch. 100, § 1.

Duplicates of returns of fines, and accounts of money paid, to be lodged annually with the treasurer. 1793, ch. 53, § 16.

The militia on Kent Island not compelled to meet in battalion or regiment, but the companies to be called together. *Ibid.* § 17.

The masters of apprentices, and the fathers or guardians of minors, (not matrosses or dragoons,) accountable for the fines incurred. *Ibid.* § 19.

Provision respecting draughts and substitutes. *Ibid.* § 20.

— An appeal given to the county courts on the seizure of property or execution of the person. *Ibid.* § 21.

— Persons serving as substitutes not excused from serving in their turn. *Ibid.* § 23.

Militia men not to leave their companies, unless by consent of the captain, &c. or in case of removal, when they shall apply for a discharge, under the penalty of 10 dollars. *Ibid.* § 22.

No officer or private of the militia subject to arrest for any civil matter in his attendance at, going to, or returning from, muster. *Ibid.* § 24.

In suits under this act, the action to be laid in the county where the cause arose. *Ibid.* § 25.

— The defendant may plead the general issue, and give this act, &c. in evidence. *Ibid.*

— On verdict for defendant, or nonsuit, treble costs allowed. *Ibid.*

Certain companies of artillery, cavalry and infantry, in Baltimore, continued. *Ibid.* § 26.

This act to continue as long as the act of congress therein recited. *Ibid.* § 27.

The field-officers of the militia of Allegany county empowered to appoint some day or days, not exceeding four days in each year, for the persons composing the militia of the said county to meet and exercise, (at such place or places in said county as the field-officers of the said county may deem convenient,) in battalion or companies, as may be most expedient, instead of the meeting in regiment, as directed by the 14th section of the act of 1793, ch. 53. 1797, ch. 3, § 2.

— The militia of the said county liable to the same fines and forfeitures for not attending at such meetings as they would have been in not attending the meetings in regiment or battalions, as established by law. *Ibid.* § 3.

— The field-officers of the said county shall not direct more than one meeting of each battalion in the said county in any one year. *Ibid.* § 4.

Power of courts-martial in determining on excuses after fines for non-attendance, or otherwise, are incurred. 1798, ch. 100, § 3.

— The captains or commanders of companies to return such fines to the lieutenant-colonels commanding the regiments, or the commanders of extra battalions. *Ibid.*

— The lieutenant-colonels or commanding officers directed to place such fines in the lists to be collected by the sheriffs. *Ibid.*

Officers removing out of the county, or, (if general officers,) out of the district, with an intention of making a permanent residence, shall, on such removal, be deemed to have resigned their commissions. *Ibid.* § 4.

— The officers commanding regiments or extra battalions to make known any vacancy as soon as convenient to the briga-

MILITIA.

dier, or officer commanding the brigade, who is to report the same to the adjutant-general as soon as may be thereafter. *Ibid.*

Articles, rules and regulations, by which the militia of the state shall be governed. *Ibid.* § 5.

Where a militia man is draughted to perform a tour of duty under the laws of this state, he shall be considered as a soldier, and liable to all the duties as such, unless he shall furnish a substitute. *Ibid.* § 6.

— The lieutenant-colonels of regiments, or commanders of the extra battalions, shall be the sole judges of the qualification of such substitutes, and may receive or reject them at their discretion. *Ibid.*

— If such substitutes should be rejected, the lieutenant-colonel to furnish them as prescribed by the act of 1793, ch. 53, saving the right of appeal given by that act. *Ibid.*

Persons conscientiously scrupulous of bearing arms, and who refuse to do militia duty under this law, shall be liable to pay three dollars annually, to be recovered and applied by the lieutenant-colonel as other militia fines by this law are. *Ibid.* § 7.

Where there are extra battalions, the commanding officers thereof shall have the same powers as the lieutenant-colonels commanding regiments. *Ibid.* § 8.

— The said officers shall, on the days of battalion meetings, have the same power as the commandants of regiments, of appointing courts-martial, and regulating the same. *Ibid.*

If any by-stander shall interrupt, molest or insult, any officer or soldier while on duty at muster, or shall be guilty of like conduct before any court-martial, the commanding officer, or the court, may cause him to be confined for the day. *Ibid.* § 9.

Provision made for calling out the militia in case of a sudden invasion or insurrection. *Ibid.* § 10, 35.

Directions for the brigade inspectors to attend the meetings in regiment and battalion. *Ibid.* § 12.

— To attend the brigadier-general when required, and to receive and execute orders, &c. *Ibid.* § 13.

The adjutant of each regiment to attend and execute the orders of the commanding officers of the regiments or extra battalions. *Ibid.* § 14.

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

Directions respecting the militia of Allegany county. *Ibid.* § 17, 18, 19.

Provision made for the collection and payment of fines. *Ibid.* § 5, 20, 21, 22.

There shall be one complete company of infantry annexed to each regiment, to be furnished with arms and accoutrements at the expence of the state, so far as the state may be in possession of them. *Ibid.* § 23.

— Manner of forming the said companies from the regiments or extra battalions, and the ages of the men prescribed. *Ibid.* § 23, 24, 25, 26.

Directions to the officers to note the ages of persons enrolling, and to give information thereof to the lieutenant-colonel. *Ibid.* § 27.

The governor and council directed, within four months, to deliver to each lieutenant-colonel seventy-two muskets, bayonets and cartridge boxes, if in possession of the state, to be delivered to the captains or commanding officers of the select companies, to be distributed to the privates and non-commissioned officers. *Ibid.* § 28.

The lieutenant-colonels directed to take from the commissioned officers of the select companies bonds for the redelivery of the said arms. *Ibid.* § 29.

— A refusal