

MILITIA.

— A refusal to give such bond shall be deemed a resignation of the command, and the governor and council shall appoint others. *Ibid.*

Penalty on privates and non-commissioned officers using such muskets in hunting, &c. *Ibid.* § 30.

— On their refusing to deliver them to the commanding officers. *Ibid.*

— The company courts-martial directed to inquire into and punish such delinquencies. *Ibid.*

The governor and council shall select, appoint and commission, from the militia officers of each regiment, one captain, one lieutenant and one ensign, to command the select company. *Ibid.* § 31.

— Not confined to the light infantry companies as then existing for selecting the officers. *Ibid.* § 33.

— Manner of supplying the vacancies occasioned by such appointments. *Ibid.*

The select companies shall meet at every regimental and battalion meeting, and on some day in the same months in which other companies are ordered to meet, and shall in all respects be subject to the same fines to which the general militia are subject. *Ibid.* § 32.

— Each of the said companies shall be considered as the light infantry. *Ibid.* § 33.

The select companies of infantry, or such and so many of them as the commander in chief of the militia of this state shall think requisite, may at any time by him be ordered into service without any draught made, and when called into service shall be subject to the rules and regulations of the articles of war, and when in actual service shall be entitled to the same pay and rations as troops in the service of the United States. *Ibid.* § 34.

— In case of insurrection within, or invasion of, any part of this state, the said troops, or any of them, may be ordered on service by the brigadier-general, or major-general of the district in which said troop is raised, but no militia officer, except the commander in chief, shall order out any part of the militia to suppress any insurrection within the state, unless required so to do by three justices of the peace in writing, under their hands and seals, 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. *Ibid.* § 35.

Fines which may be imposed on the militia, viz.

— On persons qualified to serve in the militia refusing, when called on, to give in their names, 10 dollars. 1793, ch. 58, § 4.

— On such persons giving a false account of their ages, 10 dollars. *Ibid.* § 5.

— On commissioned officers accepting their appointments and not arming, accounting, &c. as directed by the act of congress, 20 dollars. *Ibid.* § 10.

— On non-commissioned officers and matrosses in the artillery, and non-commissioned officers and dragoons in the cavalry, not arming, &c. 6 dollars. *Ibid.*

— On militia-men leaving their companies and joining others, unless by consent of the captains, &c. or in case of removal, 10 dollars. *Ibid.* § 22.

— On officers refusing to give militia-men certificates of discharge on their removal, 10 dollars. *Ibid.*

— On officers refusing to give to militia-men certificates of the time of their being in actual service, 10 dollars. *Ibid.*

— On officers not attending and doing their duty on the days of muster, not less than 5 dollars, or more than 50 dollars. 1798, ch. 100, § 1.

— On soldiers not attending, &c. not less than 75 cents, nor more than 5 dollars. *Ibid.*

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— On persons appointed non-commissioned officers accepting, and neglecting their duties, not exceeding 10 dollars. *Ibid.* § 2.

— On captains or officers commanding companies neglecting to make returns of fines to the lieutenant-colonels, 10 dollars. *Ibid.* § 3.

— On field or other commissioned officers misbehaving at any meeting, not exceeding 50 dollars, nor less than 5 dollars. *Ibid.* § 5.

— On non-commissioned officers or privates appearing drunk, disobeying orders, &c. not exceeding 20 dollars, nor less than 75 cents. *Ibid.*

— On the lieutenant-colonel or commanding officer of any regiment, battalion or extra battalion, neglecting or refusing to give orders for assembling his regiment, &c. as therein mentioned, not exceeding 200 dollars, nor less than 20 dollars. *Ibid.*

— On the commanders of companies neglecting or refusing to give orders for assembling as therein mentioned, not exceeding 100 dollars, nor less than 10 dollars. *Ibid.*

— On non-commissioned officers in such cases, not exceeding 20 dollars, nor less than 5 dollars. *Ibid.*

— On captains or commanding officers of companies refusing or neglecting to make lists of the persons noticed to perform any tour of duty, and to send or convey the same to the lieutenant-colonel or commanding officer, not exceeding 100 dollars, nor less than 10 dollars. *Ibid.*

— On witnesses refusing to attend and give evidence before a court-martial, not exceeding 20 dollars, nor less than 75 cents. *Ibid.*

— On brigade inspectors neglecting to attend on the days appointed by the brigadier-general, not exceeding 30 dollars, nor less than 10 dollars. *Ibid.* § 12.

— On their refusing or neglecting to attend the brigadier-general when required, &c. not exceeding 30 dollars, nor less than 10 dollars. *Ibid.* § 13.

— On the adjutants of regiments refusing or neglecting to attend and execute the orders of the commanding officers of regiments or extra battalions, not exceeding 15 dollars, nor less than 5 dollars. *Ibid.* § 14.

— On non-commissioned officers or privates having muskets or guns, and appearing in the ranks or during exercise without them, not exceeding 4 dollars, nor less than 50 cents. *Ibid.* § 15.

— On persons when called on by the captains or commanding officers of companies wilfully concealing their ages, not exceeding 5 dollars. *Ibid.* § 26.

— On any private or non-commissioned officer, to whom a musket is delivered in pursuance of this act, using the same in hunting, &c. or not keeping his arms in good order, not less than 1 dollar, nor more than 10 dollars. *Ibid.* § 30.

— On their refusing to deliver the same to the commanding officer on leaving the company, 20 dollars. *Ibid.*

The governor and council authorized to remit the whole or any part of any fine by a militia court-martial, provided the case and reasons for remission be stated, and signed by the persons granting the same. April, 1782, ch. 42, § 5.

MILLS.

Persons owning or belonging to water mills taking toll above one sixth part of Indian corn, or one eighth part of wheat, to forfeit 1000 lbs. of tobacco, half to the state, and half to the informer, to be recovered by action of debt, &c. 1704, ch. 16, § 6.

Duty of the owners of mills where the public roads cross. 1753, ch. 16, 1756, ch. 12.

See ROADS.

MINISTERS.