

commissioned by the governor and council, on the recommendation of the general assembly, or in the recess of assembly by the governor and council; and the rank of each lieutenant, and of each battalion and company, shall be determined by the governor and council. And the said lieutenants are hereby required to attend the governor and council as soon as conveniently they can, with a full and fair list of the names of all persons so enrolled as aforesaid, and of their distribution into battalions and companies. And the said lieutenants are hereby severally authorized and empowered to employ a clerk to assist in doing the business hereby enjoined him or them, and shall allow him a reasonable reward for his services, to be paid and re-imbursed as above set forth.

C. H. A. P.  
XVII.

V. And be it enacted, That the several lieutenants shall, on or before the first day of *September* next, cause the several companies of militia, in their respective counties, to be divided by lot into eight parts, to be called classes, as nearly equal as may be, and numbered from one to eight in numerical order. And the captain of each company shall cause the names and surnames of the persons in the respective companies, with the class to which each belongs, to be returned to said lieutenants respectively, at such time as they shall appoint, under the penalty of five pounds common money for every neglect or refusal.

Lieutenants to cause the several companies to be divided into eight classes, &c.

VI. And be it enacted, That the whole of the militia, so enrolled as aforesaid, shall be subject to be exercised in companies, under their respective officers, as followeth; that is to say, Some time in the months of *March, April, May, June, September, October, November, and December*, and in battalion on the third Mondays (if fair, if not on the next fair day) in the months of *April, June, September, and November*; and on each of which days every militia man, so enrolled, shall duly attend, with his arms and accoutrements in good order, and a sergeant or clerk of each company is required, at the end of one hour after the time appointed for the meeting of the company or battalion, to call over the muster roll of the company, noting those who are absent, and on that day shall make return in writing to the captain or commanding officer then present of such absentees; and all the persons so absent at the time of calling over the roll, or who shall depart from the parade before duly discharged, shall be liable to the fines hereafter mentioned.

Times when the militia are to be exercised, &c.

VII. And be it enacted, That if any commissioned officer shall neglect or refuse to attend on any of the days appointed for exercise in companies as aforesaid (unless prevented by sickness or some other unavoidable accident) such commissioned officer shall forfeit and pay a sum not exceeding forty shillings *per* day, and any non-commissioned officer or private, and all enrolled persons, for refusing or neglecting (except as before excepted) shall forfeit and pay a sum not exceeding twenty shillings *per* day; and if on a field day, or meeting in battalion, then, if a field officer, he shall forfeit and pay a sum not exceeding five pounds *per* day, and a commissioned officer, under that rank, a sum not exceeding three pounds *per* day; and if a non-commissioned officer or private, and enrolled person, refusing to meet and exercise, a sum not exceeding thirty shillings *per* day (except as before excepted); the names and surnames of all which persons, so incurring the said fines and penalties (except such as may have paid the same into the hands of the

Fines for non-attendance, &c.