

C H A P.
XLIII.

of property in their respective counties shall be delivered to them by any person having the custody thereof, if required.

Lieutenant to examine whether each class hath found a recruit, &c.

VI. And be it enacted, That the lieutenants aforesaid, and the field and commissioned officers of the militia in each county, shall, within five days after the expiration of the said twenty days, meet together at the place of holding their respective county courts, under the penalty of one hundred pounds like money each, and shall proceed to examine whether each class hath found a proper effective recruit according to this act, and if any class hath not found such recruit, then shall the lieutenant and the field officers of the regiment or regiments, and the commanding officers of the company or companies to which the militia men of such class belong, or such of the officers as shall be present, proceed to examine the names of the persons composing such class, and after having struck out the names of those who are exempt from serving in the militia out of this state, because of their having under the laws of this state found substitutes whose times of service shall not be expired at the time of draughting, and also the names of such, if any, as they judge are not of sufficient ability of body for the service, and retaining in such class the names of all the other male persons between sixteen and fifty years of age, who are of sufficient ability of body for the service, although they may by the laws of this state be exempt from serving in the militia, they shall cause lots to be cast fairly and openly amongst those who shall be retained in the class as aforesaid, and the person to whose lot it shall fall shall be from thenceforth, to every intent and purpose, considered as an enlisted soldier, to serve until the tenth day of December seventeen hundred and eighty-one, in the quota of this state of the continental troops, and such person shall be entitled to receive a bounty or allowance of one shilling of the four shillings herein after mentioned on the property of the others of his class; but if such person shall, within twenty days thereafter, provide a good and sufficient recruit, to serve until the said tenth day of December in his stead, he shall be discharged; or if he shall at any time afterwards find a good and sufficient recruit in his stead, to serve for three years unless sooner discharged, he shall be discharged, and entitled to the residue of the four shillings on every hundred pounds worth of the property of the others of his class.

Persons in each class to pay 4 per cent. &c.

VII. And be it enacted, That as soon as the draught shall be made from any class for not finding a recruit as aforesaid, each person of such class, except the one who shall be draughted as aforesaid, shall pay to the lieutenant four shillings specie, or the value thereof in bills of credit, for every hundred pounds worth of property such person holds in the class, and if the same shall not be paid within five days after the draught shall have been made from such class as aforesaid, the lieutenant shall and may proceed to collect and levy, by warrant under his hand and seal, directed to the sheriff, the rate or sum of four shillings specie, rating Spanish dollars at seven shillings and six-pence, or the value thereof in bills of credit, for every hundred pounds worth of property, except that of the person draughted, included in such class.

Sheriff to execute warrants, &c.

VIII. And be it enacted, That the sheriff to whom such warrant is directed shall, immediately on receipt thereof, execute the same by distress and sale, after five days notice, of the goods and chattels, lands

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