

C H A P.
LIII.

person, under the age of forty-five years, when called on as aforesaid, shall inform the person so to be appointed, that he is of the age of forty-five years or upwards, every such person, so offending, shall forfeit and pay the sum of ten dollars for every such offence.

No free citizen to be excused, &c.

VI. And be it enacted, That no free white male citizen, of the age of eighteen and under the age of forty-five years, shall be excused from militia duty on account of inability, unless he shall obtain from the surgeon of the regiment to which he shall belong, or some reputable physician in his neighbourhood, a certificate that he is not of sufficient ability to perform militia duty.

Persons appointed, to make returns, &c.

VII. And be it enacted, That as soon as may be, and within fifteen days after the aforesaid tenth day of April next, all the persons so to be appointed by the governor and council in each and every county of this state, who shall accept such appointment, shall make true and exact returns of all the free white male citizens by them respectively listed as aforesaid to the governor and council, under the penalty of forty dollars for every neglect; and the governor and council shall forthwith proceed to appoint the proper officers thereto, agreeably to the provisions of the before recited act; that thereupon each and every free white male citizen, who shall be of the age of eighteen years and under the age of forty-five years, (except as before excepted,) shall severally and respectively be enrolled in the militia by the captain or commanding officer of the company within whose bounds such citizen shall reside, under the direction of the brigadier-general of the brigade, and that on or before the twentieth day of June next; and it shall at all times hereafter be the duty of every such captain or commanding officer of a company, to enrol every such citizen as aforesaid, and also those who shall, from time to time, arrive at the age of eighteen years, or being of the age of eighteen years and under the age of forty-five years, (except as before excepted,) shall come to reside within his bounds, and shall, without delay, notify such citizen of the said enrolment, by a proper non-commissioned officer of the company, by whom such notice may be proved.

Governor, &c. to arrange the militia, &c.

VIII. And be it enacted, That on or before the twentieth day of June next, the governor and council shall arrange the militia of the state into divisions, brigades, regiments, battalions and companies, and shall number each division, brigade and regiment, at the formation thereof, and a record shall be made of such numbers in the adjutant-general's office; that if the same be convenient, each brigade shall consist of four regiments, each regiment of two battalions, each battalion of five companies, each company of sixty-four privates, four sergeants, four corporals, one drummer and one fifer or bugler.

Grenadiers to be formed, &c.

IX. And be it enacted, That out of the militia enrolled as aforesaid, there shall be formed for each battalion at least one company of grenadiers, light infantry or riflemen; that to each division there shall be a company of artillery and one troop of horse, formed and officered according to the directions of the before recited act.

Officers to arm themselves, &c.

X. And be it enacted, That all commissioned officers, who shall be appointed as aforesaid by the governor and council, and who shall accept such appointment, shall, on or before the tenth day of July next, arm, accoutre, and provide themselves, in the manner by the said before recited act directed, under the penalty of twenty dollars for such neglect; and each non-commissioned officer and matross in the artillery, and each non-commissioned officer and dragoon in the companies of horse, shall, on or before the first day of August next, arm, accoutre, and provide himself, in like manner, under the penalty of six dollars current money for such neglect.

Ministers exempted.

XI. And be it enacted, That all ministers of the gospel, regularly ordained or licensed by any religious society, shall be and are hereby exempted from militia duty.

XII. And