

1807.

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L A W S O F M A R Y L A N D.

C H A P.
CXXVIII.

bugler or trumpeter, as the case may be, whose duty it shall be to teach such person or persons in the best manner in his power; and as soon as such person or persons shall be able to perform field duty to the satisfaction of the commanding officer of the regiment, he shall draw his warrant on the payment in favour of the drum and fife-major, the bugler or trumpeter, who may have taught such person or persons as aforesaid, for the sum of ten dollars for every person so taught; and the person so taught shall be furnished with a suit of regimentals, to be paid for out of the funds of the regiment; and the father of every youth who shall have been instructed as aforesaid shall be exempted and excused from every kind of militia duty so long as his son shall continue to perform the duties of a drummer, fifer, bugler or trumpeter, in any militia company.

Any person
may join a uni-
formed compa-
ny, &c.

XXXIV. AND BE IT ENACTED, That it shall and may be lawful for any person above the age of twenty-one, or between the age of eighteen and twenty-one, with the consent of their parent or parents, guardian, master or mistress, to join any uniformed militia company willing to receive him as a member thereof, whether the same be formed in his district or elsewhere, and a majority of any such uniformed militia company shall have power to determine and declare what and how many days of training they will have throughout the year, over and above the days herein before appointed for their exercise and training, notice whereof shall be given to such company by the commanding officer thereof, and to impose and inflict such fines and penalties on any member of such company who may refuse or neglect to attend on such stated days of meeting as may be fixed and agreed on by the by-laws of such company, provided that no fine or forfeiture for any one violation of the provisions of this section shall exceed ten dollars; which fines and penalties shall be collected by a sergeant, appointed for that purpose by the commanding officer of the company, in the following manner, to wit: the said sergeant shall, once in every month, furnish to each member of said company an account, signed by the commanding officer of the company, of the fines and forfeitures by such person due, stating the same as due and payable to the person commanding said company; and in case such fines or forfeitures not paid within twenty days thereafter, it shall and may be lawful for said sergeant to apply to any justice of the peace where the person owing such fines and forfeitures may reside, who shall thereupon issue a warrant in debt, in the usual form, in the name of the commanding officer of such company, and the same proceedings, for the recovery of such fines and forfeitures, shall be had, as are had and used in the recovery of small debts; and the by-laws of such company may impose any fine, not exceeding fifteen dollars, on any person withdrawing from such company, without the consent of the commissioned officers thereof, or a majority of them, to be recovered as aforesaid; which said fines and forfeitures shall be appropriated agreeably to the by-laws of such company.

Persons to com-
pose a regi-
ment, &c.

XXXV. AND, whereas it is inconvenient to persons residing in the precincts of the city of Baltimore to attend the meetings of the militia in Baltimore county, in which there now are five regiments; therefore, BE IT ENACTED, That the persons residing in the precincts of the city of Baltimore shall compose a regiment to be attached to the third brigade.

Fines, &c. how
to be levied,
&c.

XXXVI. AND BE IT ENACTED, That for the purpose of levying and collecting the fines and forfeitures imposed by company court-martials, the president of each court-martial shall, within five days after the passing of the sentence of such court-martial, return, in writing, to the commanding officer of the company, the sentence of the court-martial, with a list of the fines imposed by said court-martial, under a penalty of ten dollars; and it shall be the duty of the commanding officer, in thirty days after receiving said sentence, under the penalty of thirty dollars for every neglect or refusal, to make out three lists of the fines so imposed, and by him not released, one of which he shall cause to be delivered to the paymaster of the regiment, one he shall retain himself, and the other he shall deliver to the constable, or other fit person appointed by the commanding officer of the company, with a, under his hand, to collect said fines, with the day on which he delivered said list to said person endorsed on the back of it, who shall thereby be authorised to act as a constable in and relating to the collection of the said fines and forfeitures, commanding him to levy and collect said fines and forfeitures; and the said constable, or other fit person appointed as aforesaid, shall be authorised, and he is hereby required, under the penalty of twenty dollars, within thirty days after the receipt of such warrant, to call on every delinquent who shall be named in the schedule or list annexed to such warrant, and demand payment of said fines and forfeitures from the delinquents from whom they are respectively due, and on neglect or refusal to make such payment, within thirty days after the demand so made as aforesaid, then the said constable, or other person appointed as aforesaid, having the said warrant, shall and he is hereby directed to seize and take such portion of the goods and chattels of any such delinquent, as may be necessary to satisfy and pay such fines and forfeitures, and at any time between the tenth and twentieth day after such seizure, having given at least five days notice of the time and place of sale, by advertisements set up at least three of the most public places in the neighbourhood, to sell and expose to sale the same to the highest bidder;