

ROBERT WRIGHT, ESQUIRE, GOVERNOR. NOVEMBER. 1807.

C H A P.
CXXVIII.

and in case the said constable, or other person appointed as aforesaid, shall not be able to find goods and chattels as aforesaid, it shall and may be lawful, and he is hereby directed, at any time at which he might have made the seizure of the said goods and chattels, to arrest and take the body of such delinquent before some justice of the peace, who shall commit the same to the public gaol of the county, there to be kept by the sheriff of the county for the space of twenty-four hours in close confinement, as other persons in execution for debt are kept; and the said constable, or other person appointed as aforesaid, shall quarter yearly account for and pay over to the paymaster of the regiment, all money by him received as aforesaid, under the penalty of thirty dollars for every refusal or neglect so to do, and the further sum of five dollars for every ten days thereafter he shall continue such neglect or refusal, which said fine or fines, imposed as aforesaid upon said constable, or other person appointed as aforesaid, shall be recovered by the paymaster before a single magistrate as small debts are recoverable, in the name of the state of Maryland, and to be paid into the hands of the paymaster of the regiment, or extra battalion, as the case may be, and the said constable, or other person appointed as aforesaid, shall receive ten *per centum* on all monies by him collected; and the said constable, or person so appointed, before he proceed to collect said fines and forfeitures, shall give bond to the state of Maryland, with security to the satisfaction of the commanding officer of the company, conditioned, that he will well and truly account for, and pay over to the paymaster of the regiment or extra battalion to which said company may belong, all such sums of money by him collected and received under the provisions of this act.

XXXVII. AND BE IT ENACTED, That the president of each regimental 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 regiment, the sentence of such court-martial, with a list of the fines imposed by the same, under a penalty of ten dollars; and it shall be the duty of the commanding officer of the regiment, he is hereby enjoined, within thirty days thereafter, under the penalty of twenty dollars for every neglect or refusal, to make out three lists of such fines and forfeitures, under his hand, one of which lists he shall deliver to the paymaster of his regiment, another he shall retain himself, and the third list he shall, before the first day of March in each and every year, deliver to the sheriff of the county, which said sheriff shall receive the said list, and collect the said fines and forfeitures, in the same manner, at the same time, under the same terms, penalties and conditions, that he, or the collector of the county, collects county taxes and levies, and the same, when collected, shall pay over to the paymaster of the regiment, or extra battalion, as the case may be.

President of
each regimental
court,

XXXVIII. AND BE IT ENACTED, That the president of each brigade, division and general court-martial shall, within twenty days after the passing of sentence on any delinquent, return, in writing, to the respective commanding officers appointing the same, the sentence of such court-martial, under the penalty of thirty dollars for every neglect or refusal so to do; and it shall be the duty of the respective commanding officers appointing each court-martial as aforesaid, before the first day of March in each and every year, to cause a list of all fines and forfeitures imposed by their several courts-martials, and by them not released, to be returned, under their hands, to the treasurer of the eastern or western shore, according to the residence of the persons bound for the payment of said fines or forfeitures, and also to transmit to the several sheriffs of the different counties in this state, a list of all fines and forfeitures imposed on delinquents residing in their respective counties, under the penalty of fifty dollars for every neglect or refusal so to do; and the said sheriffs shall collect the said fines and forfeitures in the manner, and upon the terms stated in the next foregoing section of this, and the same, when collected, shall pay over to the treasurer of their respective shores for the use of the state of Maryland.

And brigade
court-martial,
to return the
sentence, &c.

XXXIX. AND BE IT ENACTED, That it shall be the duty of the commanding officer of each company district, before the first day of September in each and every year, to make return, in writing, on oath, of all quakers, menonists, tunkers and persons conscientiously scrupulous of bearing arms, exempt from militia duty under the provisions of this act, to the commanding officer of the regiment to which he belongs, under the penalty of thirty dollars for every neglect or refusal so to do; and it shall be the duty of the commanding officer of each regiment, before the first day of March, eighteen hundred and nine, and in each and every year thereafter, to cause three lists of all such persons, and of the sums of money by them respectively payable as a consideration for their exemption from militia duty, to be made out under his hand, and one of said lists to be sent to the treasurer of the shore to which the regiment belongs, another to be retained in his own hands, and the third to be delivered to the sheriff of the county where such persons reside; and it shall be the duty of the several sheriffs of this state to collect all such sums of money from the person from whom they are respectively due, in the same manner, at the same time, and upon the same terms, penalties and conditions, that they, or the collectors of the counties, collect county taxes and levies, and the

Commanding
officers to make
returns, &c.