

days so appointed; and it shall be the duty of every commanding officer of a company, to appoint a fit and proper person, who shall at the end of one hour after the time appointed for the meeting of the company, (except when on field days he may be prevented by the orders of the commanding officer, until the battalion or regiment is dismissed,) call over the muster-roll of the company, noting those who are absent; and on that day, or within three days thereafter, shall make return, in writing, of such absentees to the commanding officer of the company.

1812.

Roll shall be called.

10. AND BE IT ENACTED, That if any commissioned officer, whose duty it shall be to attend, shall refuse or neglect to attend any of said meetings; or attending, shall refuse to do the duties of his station, he shall be arrested and fined, at the discretion of a regimental court-martial, not less than five dollars, nor more than fifty dollars for every offence, unless he can give a reasonable excuse to his commanding officer; and if any person belonging to the militia, whose duty it shall be to meet and muster under the provisions of this act, shall neglect to attend any of the said meetings; or attending, shall refuse to do the duties of his station, or shall depart from the parade without being duly discharged, such person, if a non-commissioned officer or private, shall, at the discretion of a company court-martial, be fined a sum not less than fifty cents, nor exceeding five dollars.

Officers, &c. refusing to attend meeting: and perform their duties shall be arrested and fined.

11. AND BE IT ENACTED, That if any non-commissioned officer or private, who has provided himself with a musket or firelock, or who has received one, the property of the state, shall appear in the ranks at any of said meetings without such musket or firelock, he shall be fined a sum not less than one dollar, nor more than three dollars, in the discretion of a company court-martial; and if such non-commissioned officer or private shall appear without such musket or firelock in serviceable order, he shall forfeit twenty-five cents for every such neglect.

Non-commissioned officers and privates having arms, and appearing in the ranks without them, shall be fined.

12. AND BE IT ENACTED, That each Quaker, Menonist, Tunker, or person conscientiously scrupulous of bearing arms, between eighteen and forty-five years of age, and all other persons exempt under this act, (except such as are exempt under the act of congress, and except ministers of the gospel.) shall be exempt from militia duty, according to the provisions of this act (except when called into actual service) on the payment of three dollars annually.

Quakers, &c. exempted on paying a fine.