

VOTES AND PROCEEDINGS, OCTOBER 1777. 57

N E G A T I V E.

Ford, Deye, Ridgely, Stevenson, H. Wilson, Bond,
 Plowden,

The bill was ordered to be engrossed.

George Plater, Esq; from the senate, delivers to Mr. Speaker a petition from James Maynard, thus endorsed; "By the senate, December 19, 1777: Read and referred to the consideration of the house of delegates.

"By order,

A. C. HANSON, cl. sen."

Which said petition was read, setting forth, That he was ordered to attend the governor and the council at Baltimore-town during their sitting there, as their messenger, and that he was put to the extra expence of twenty-five pounds, and therefore praying to be allowed so much of his said extra expences as shall be thought reasonable.

The house resumed the consideration of the bill, entitled, A supplementary act to an act, entitled, An act to regulate the militia, and having proposed several amendments thereto, the question was put, That the said bill do pass with the amendments proposed? Determined in the affirmative.

A F F I R M A T I V E.

Messrs. Ford,	Hammond,	M'Pherson,	Alexander,	Kent,	Sprigg,
Plowden,	Worthington,	Maddux,	West,	Earle,	Burges,
Lethbury,	Tillard,	Strawbridge,	Brice,	Edelen,	Williams,
Maxwell,	Somervill,	Smoot,	Qaynn,	Young,	Crabb,
J. Hall,	Turner,	Ward,	Benfon,	Chafe,	

N E G A T I V E.

Messrs. Read,	Forbes,	Henry,	Ridgely,	Cortee,	Bond,
Fitzhugh,	Winder,	Deye,	Stevenson,	H. Wilson,	A. Hall,
Chew,					

The amendments proposed to the said bill are the following: Leave out the first, second, third, fourth and fifth enacting clauses down to the end of the eighth line of the third page, and insert the following clauses:

"Whereas great abuses have been introduced under colour of the late militia act, relative to substitutes, and it is apprehended the giving money to substitutes may injure the recruiting service,

Be it enacted, by the general Assembly of Maryland, That no person shall be allowed as a substitute by the colonel of the battalion or any field officer, unless such person be enrolled in some class of the militia of this state; and no militia man shall give, nor shall any militia man receive, any reward whatever for going as a substitute, under the penalty of serving double the time such militia shall be ordered out for, on conviction before a court-martial, to consist of the lieutenant of the county and any two field officers, and in case of sickness or absence of the lieutenant, of any three field officers.

And be it enacted, That in case no substitute be procured, every militia man ordered out on actual service, and neglecting or refusing to attend, unless prevented by sickness, shall forfeit and pay a sum not exceeding two hundred pounds nor less than twenty pounds common money, at the discretion of the court-martial, constituted as aforesaid, to be levied by distress and sale of the goods, chattels, lands or tenements, of the militia man not finding a substitute as aforesaid; and in case of inability to pay such fine as may be assessed, by the person not finding a substitute, he shall be imprisoned without bail not exceeding three months, at the discretion of the court-martial aforesaid.

And be it enacted, That all those parts of the act, entitled, An act to regulate the militia, relative to substitutes, which are inconsistent with the present act, shall be and are hereby repealed.

Leave out from the sixteenth line of the third page, to the end of the paragraph being the fifth line of the fourth page, inclusive. In the seventeenth line of the fifth page, after the word "vessels," add "and hands." In the last line of the section after the word "vessels," add "and hands." At the conclusion of that section add the following proviso: "Provided always, That no such carriages, teams or drivers, shall be detained more than three days without consent of the owner."

In the tenth line of the sixth page, leave out the words "members of the general assembly not being militia officers;" and at the conclusion of the section, add "and also members of the general assembly and the clerks of the two houses shall be exempt from militia or military duty out of the state." Leave out the two last sections of the same page beginning at the thirteenth line to the bottom of the page. Add the following clause:

And be it enacted, That all militia men who have heretofore marched out of the state under the orders of the governor and the council since the late militia act, and have been regularly discharged,