

come subject to enrolment, and shall select from the persons so enrolled, by draught or lot, under such regulations as the commander in chief may prescribe, with the advice of the council, the complement of men required by this act for their respective companies; and all persons so enrolled, and not selected by lot or draught as aforesaid, are hereby exempted from militia duty, until such time as they shall be called into service pursuant to the subsequent provisions of this act.

“ Be it further enacted, That the militia selected by lot or draught as aforesaid, shall continue in service, and be subject to all the regulations and provisions of this act, for and during the term of three years from the numbering of their respective companies, after which term they are hereby declared to be exempted from all militia duty or service till such time as all the other citizens, not permanently exempted by the act of congress and this act, within the bounds of their respective captains, shall have served a like term of years; and a new draught, or selection by lot, in conformity with this principle, is hereby enjoined and directed to be made every third year.

“ Be it further enacted, That the commander in chief shall and is hereby ordered and directed to cause the division, brigades, regiments, battalions and companies, to be numbered at the formation of the same respectively.

“ Be it further enacted, That any person, who may be by lot or draught obliged to serve in a company as aforesaid, is hereby declared to be exempted from the said service, upon his providing a substitute to serve in his place, for and during the time the substitute may engage to serve, and until he may be again called into service agreeably to the rotation herein established; provided the said substitute shall be approved of by the commanding officer of the company to which he belongs.

“ And be it enacted, That all officers of such part of the militia as is directed by this act to be selected, and to be trained for the term of three years, shall be appointed by the governor and council pursuant to the directions of the before recited act of congress.

“ Be it further enacted, That in case a greater number of militia should be required for actual service than necessary to compose the division aforesaid, the commander in chief is hereby empowered and enjoined to direct a further and equal selection or draught from the bounds of each captain as aforesaid, equivalent to the exigency, or to draw forth every person enrolled as a militia-man within all the said bounds, the one or the other as the case may require, and to divide and number the same as aforesaid into companies, battalions, regiments, brigades or divisions, according to the number thus selected or drawn out; and the governor and council shall forthwith proceed to make all appointments of officers in the said additional selections or draughts of militia in conformity to the act of congress before recited; and the said militia shall be subject to all the regulations of the said act and this act; and any militia-man so called out, if the draught should be a partial one and not of the whole militia of the state, may furnish a substitute as by this act provided.

“ Be it further enacted, That as soon as the exigency, which may require the draught or selection aforesaid, shall cease, the militia so draughted, selected or drawn out, shall be exempted from further duty till such time as a like exigency shall occur, or till such time as they shall be drawn out or selected according to the order of rotation established by this act.

“ Be it further enacted, That vacancies happening in a company not drawn from the line, by death or other causes, shall forthwith be filled up by lot or draught from the bound to which such company belongs, agreeably to such regulations as shall be established by the commander in chief.

“ And be it enacted, That all officers, judicial and executive, of the state, and their officers, students at colleges or schools, professors at colleges, schoolmasters, ministers of the gospel, practising physicians, and all ferrymen on public roads, shall be and are hereby exempted from militia duty.”

Page 11th, after the word “the,” in the 1st clause, strike out the words “whole of the militia so enrolled,” and insert “militia so selected.” After the word “enrolled,” in the 6th line, page 11th, insert the words “draughted or selected.” Page 1st 12th, after the word “year,” in the 8th line from the bottom, strike out the words “account with,” and insert “pay to.” Strike out the word “for” in the same line. After the word “received,” in the 7th line from the bottom of the 1st 12th page, strike out to the end of the clause, and insert, “And be it further enacted, That the commander in chief, in his discretion, and as often as he may have occasion to apprehend danger from invasion, insurrection or resistance to the laws of the union, may direct such part, or the whole, of the militia to be trained and exercised at such other times as he may judge proper, and, should a part be called into actual service within the state, relieve the same every two months, and if out of the state, every four or six months, as occasion may require, by a rotation which may divide the duty equally among the whole.” Second 12th page, in the 3d line from the top, strike out the word “and.” After the word “sums,” same line, strike out the words “to be received as an equivalent,” and insert “if not paid to the lieutenant-colonel.” Strike out from the word “aforesaid,” in the 4th line, same page, to the word “and” in the 5th line. After the word “respectively,” in the 6th line, insert “on the twentieth day of November annually.” Page 15, strike out the first enacting clause.

Which were read.

On motion, Leave given to bring in a bill to revive and aid the proceedings of the orphans court of Saint-Mary's county. ORDERED, That Mr. Plowden, Mr. Thomas and Mr. Johnson, be a committee to prepare and bring in the same.

Mr. Plowden, from the committee, brings in and delivers to Mr. Speaker a bill, entitled, An act to revive and aid the proceedings of the orphans court of Saint-Mary's county; which was read the first and second time by especial order, passed, and sent to the senate by the clerk.

The engrossed bills from No. 1 to 41 inclusive (except No. 11) were severally read and assented to, and sent to the senate, with the paper bills thereof, by the clerk.