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An Act for regulating the Militia of the Province of Maryland.

Whereas in this Time of Immiment Danger it is requisite for the Defence and Security of this Province that the Militia thereof be duly regulated and well Armed as well to repell the hostile Attempt of foreign Invaders as to quell and Suppress any intestine Com-motions Rebellions or Insurrections which may happen.

Be it therefore Enacted by the Right honourable the Lord Proprietary by and with the Advice and Consent of his Lordships Governor and the Upper and Lower Houses of Assembly and the Authority of the Same that every Male Inhabitant of this Province (Papists, the Persons commonly called Neutralls, Servants, and Slaves excepted) who shall be from the Age of Sixteen Years to the Age of Sixty Years and able to bear Arms at the Expiration of Ten days after the Publication of this Act in the County wherein he shall reside shall inlist with the Captain or next Commanding Officer of the Troop of Horse or Company of Foot in the District or Place where such Person shall reside by writing his name or making his Mark (as he shall be able) in a Roll to be Entituled and kept for that Purpose within Ten Days from and after the Publication of this Act as aforesaid under the Penalty of forty Shillings Current Money and the Same Penalty for every Thirty days Neglect or Omission thereafter and all Captains within this Province are hereby directed and commanded to take due Care to Inlist accordingly all such Persons as aforesaid and in Case of dispute whether any Person ought to inlist in respect of his Age the Same Shall be determined by the Officer before whom Such Dispute Shall happen by the Oath of the Person whose Age shall be in Question or the Oath or Affirmation (if a Quaker) of his Parent or some other credible Witness which Oath or Affirmation the Said Officer is hereby authorized to Administer.

And Be it further Enacted by the Authority aforesaid that all and every Male Person and Persons (except as above excepted) who shall attain his or their Age of Sixteen Years or come into and Settle in this Province after the Expiration of the aforesaid Ten Days from and after the Publication of this Act and be of the Age aforesaid Shall within Ten days after his or their attaining their Said of Sixteen Years or Twenty Days after his or their Arrival within this Province inlist in the manner aforesaid under the Penalty of Forty Shilling Current Money and the Same Penalty for every Thirty days Neglect or Omission hereafter so to inlist as aforesaid.

And be it Enacted by the Authority aforesaid that the Colonels or Commanding Officers of all Regiments Troops and Company's shall in Ten days after the Publication of this Act in their respective Counties and once at least in every Two Months thereafter issue

And be it further Enacted by the Authority aforesaid that the Clerk or some other Officer of every Troop or Company shall by Order of the Captain or Commanding Officer of Such Company that Shall be present on every Muster day as soon as such Troop or Company Shall be drawn up and before they proceed to exercise read distinctly and with an audible Voice at the head of Such Troop or Company the Several Clauses in this Act relative to the Duty of every private Man of the Militia whilst under Arms or in exercise or on the Days of training or in Actual Service under Penalty of the Sum of Five Pounds Current Money to every Captain or Commanding Officer who shall not give Such Order And fforty Shillings Current Money to the Clerk or other Officer who shall not immediately obey the Same

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And be it Enacted by the Authority aforesaid that no private Person of the Militia inlisted as aforesaid being thereunto appointed by his Captain shall refuse or neglect to Serve as a Serjeant or Corporal under the Penalty of fforty Shillings Current Money and in Case any Serjeant or Corporal shall refuse or neglect to warn the People to Appear under Arms when Ordered so to do by his proper Officer he shall forfeit for every Such Neglect or Refusal the Sum of Forty Shillings Current Money. And be it Enacted by the Authority aforesaid that no Commissioned or non Commissioned Officer in the Foot or Horse Shall be Subject or liable to Serve in the Office of Constable any Law usage or Custom to the Contrary notwithstanding And be it Enacted by the Authority aforesaid that no Person Officer or Private Man of the Militia Shall be Subject to any arrest Either Mesne Process or on Execution or in any other manner for any civil Matter in his Attendance at going to or returning from Muster or whilst employed in any Duty or Service by this Act directed or required And be it Enacted by the Authority aforesaid that all Persons belonging to the Militia Shall at Muster and whilst on Duty execute and perform all their proper Services and Obey the just Orders of their Respective Officers on pain of forfeiting not exceeding the Sum of Forty Shillings Current Money for every Neglect or Omission or being put under arrest according to the Quality of the Offender or nature of his Offence. And be it further Enacted by the Authority aforesaid that if any Officer or private Man of the Militia shall at any Time whilst under Arms or upon Duty abuse or take Revenge or Endeavour to take revenge for any Matter or thing done by his Commanding Officer in Pursuance of his Duty by Virtue of this Act such Officer Shall forfeit and pay not exceednig five pounds Current Money and every private Person shall forfeit and pay not exceeding the Sum of forty Shillings Current Money and be compelled under pain of Three days Imprisonment to acknowledge his Offence at the Head of the Company Troop or Regiment to which he Shall belong And be it Enacted

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by the Authority aforesaid that any Person of the Militia who shall get drunk on any Muster-day before or at Muster shall forfeit the Sum of Ten Shillings Current Money and any Person who shall presume to vend Sell or Dispose of any Strong Liquor at any Place of training or at any other Place within Five Miles of any Place of training to any Person belonging to the Militia on any Muster day except between the Time of Discharge from such Training for that day and the Sun sitting thereof Such Person so vending selling or disposing of Such Strong Liquors Shall forfeit and pay the Sum of Five Pounds Current Money And no Person other than a licenced Ordinary Keeper shall vend Sell or dispose of any Strong Liquors to any Person whatever at such Time and Place aforesaid even between the Hours aforesaid under the Penalty of Five Pounds Current Money for every Such Offence and it Shall and may be lawfull for the Commanding Officer of the Party at such Muster and he is hereby directed and required to order the Strong Liquors of the Person so offending to be Siezed and Destroyed Provided always that nothing herein contained shall be construed to extend to any Merchant or licenced Ordinary-Keeper who shall vend Sell or Dispose of any Strong Liquors in his or her House the same not being to any Person of the Militia or any for the Use of Such Person And Be it further Enacted by the Authority aforesaid That every Papist above the Age of fourteen Years or any other Person refusing to take the Oaths appointed by Law to be taken to the Government which the Commanding Officer present shall administer and repeat the Test and Subscribe the same and the Oath of abjuration who shall be found at any Place and of Training or within View thereof, during the Time of Exercise Shall forfeit and pay Fifty Shillings Current Money and Shall by any Commission Officer then present be ordered to Depart and in Case such Papist or other Person shall not immediately on such Order depart out of View of such Place or after departing shall return again that day he shall forfeit and pay the further Sum of Five Pounds Current Money and be committed by a Magistrate and in Case no Magistrate Shall be present by the Commanding Officer present to the Custody of the Sheriff there to remain untill he shall give Sufficient Security for his good Behaviour for three Months and that he shall not be found at or within View of any Place of Training in the Time of Exercise till the Expiration of the Time aforesaid and if any Negroe or Mullatto Slave, except the Necessary Attendants of any Person who Shall be there and except any Slave who shall be found working on his Masters Plantation or passing by upon Some lawful Occasion Shall be found at any Place and day of Training or within View thereof after the hour appointed for meeting the Commanding Officer present shall order such Negro or Mullatto Slave to be whipped on his or her bare Back untill the Blood Shall appear with

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