

nate and appoint proper persons to serve as Serjeants and Corporals in their respective companies, and to displace them and appoint others in their room, as they shall or may see occasion.

Serjeants and Corporals.

XIII. That all persons who shall or may be so nominated and appointed to serve as Serjeants or Corporals, and who shall refuse to serve in such capacity, shall be subject to pay a fine of two pounds, and thereupon others shall be chosen or appointed in their room, and so on, until proper persons are nominated, who shall accept of their appointment.

Persons so appointed, and who refuse to serve, subject to a fine of 40s.

XIV. And be it further enacted, That if any Serjeant or Corporal appointed as aforesaid shall be guilty of any neglect of duty, or be drunk or disorderly while on duty, he shall forfeit and pay, for each and every offence, the sum of ten shillings, or be committed for twenty-four hours—which fines shall or may be recovered and applied in the same manner as is hereinafter directed for a person refusing to serve as Clerk.

Serjeants and Corporals who neglect their duty, &c., shall forfeit for each offence 10s. or be committed for 24 hours. Mode of recovery.

XVI. And be it further enacted, That all persons who shall attend at places of muster, in order to be trained and instructed in military discipline, shall be, and they are hereby declared to be, exempted and freed from all arrests in civil causes, as well while going to such place of muster, as while they may be there, or coming from thence, during the space of twenty-four hours—the same to be allowed for the time and continuance of such muster.

Persons attending musters to be exempted from all arrests in civil causes while there, and in going to or coming from place of muster.

XVII. That such person as by the Commissioned Officers of any Company may be appointed Clerk, and refuses to serve in that capacity, shall pay forty shillings fine, and another be chosen in his room, and so on, till one do accept or consent to execute that duty; and which person so accepting or consenting, shall be under oath for the faithful discharge of his duty in said office—the same to be administered unto him by a Justice of the Peace of the County, in words following, viz:

Person appointed Clerk of any Company, and who refuses to serve, shall pay 40s. fine.

Persons serving shall be sworn.

‘ You do swear truly to perform the office of Clerk of the Militia Company, under the command of A. B. Captain, to the utmost of your skill and power, in all things appertaining to your office, according to law. So help you God.’

Form of oath.

And for every distress made for any fine not exceeding forty shillings, the said Clerk shall have one quarter part thereof for his pains and trouble; and for the levying and recovering such fines, he may make distress for, *ex officio*—the said distress to be made subject to such rules as the law hath provided in other cases; and after ten days’ notice for that purpose, he shall pay the Captain or chief officer all such fines as he shall or may have received, his own part being deducted therefrom.

Clerk's allowance for levying fines.

Overplus of all fines received by him to be paid to the Captain.