

witness in any such case, although the penalty may be applicable to the purposes of such Company.

On whose complaint penalties may be sued for.

Sec. 100. No prosecution against an Officer of Militia for any penalty under this Act shall be brought except on the complaint of the Adjutant General; and no such prosecution against any non-commissioned Officer or private of the Sedentary Militia, shall be brought except on the complaint of the Commanding Officer or Adjutant of the Battalion or Captain of the Company to which such non-commissioned Officer or private shall belong; and no such prosecution against any private or non-commissioned Officer of a Volunteer Company, shall be brought except on complaint of the Captain or Commanding Officer thereof: but the Adjutant General may authorize any officer of Militia to make such complaint in his name, and the authority of any such officer alleging himself to have been so authorized to make any complaint, shall not be controverted or called in question except by the Adjutant General.

Limitation of time for such prosecutions.

Sec. 101. No such prosecution shall be commenced after the expiration of six months from the commission of the offence charged, unless it be for unlawfully buying, selling or having in possession arms or accoutrements delivered to the Militia.

Application of penalties.

Sec. 102. The penalty when recovered shall, if the offender belong to the Active or Volunteer Militia, be paid over to the officer commanding the Company, for the