

**Provido.**

trial; *Provided*, that business is not admitted as cause of acquittance; and the said commanding officer shall within the said period notify the members of the said court of their appointment, and transmit to the president thereof a list of absentees from said parade; and the said court of appeal shall be held on the second Monday after each parade as aforesaid at the time and place which shall have been previously established by the officer ordering the same; and if the said commanding officer shall refuse or neglect to comply with any of the provisions of this section as required of him, he shall be fined not exceeding fifty dollars, in the discretion of such court martial as the case may require.

Brigade  
court of  
appeals.

SEC. 22. *And be it enacted*, That the commanding officer of each brigade shall within twenty days after the division review and regimental parades of his brigade as directed by this act, appoint the court of appeal for his brigade, which shall have power to remit the whole or part of such fine or fines as may have been incurred by the general officers, regimental field officers, and brigade and regimental staff officers as were absent from said review and parades, upon its appearing to said court of appeal that sickness or some such sufficient excuse was the cause of the violation of this act for which such person is called to trial; *Provided*, that business is not admitted as cause of acquittal; and the said commanding officer shall within the said period notify the members of said court of their appointment as well as the time and place of holding said court, and transmit to the president thereof a list of absentees from said review and parades; and it shall be the duty of the brigade-major of each brigade to notify the said absentees of his brigade from said review and parades, of the time and place of holding said court of appeal as previously established by said commanding officer, either by a written or public notice in two or more of the newspapers of said city at least three days previous to the meeting of the same; and if any officer shall refuse or neglect to comply with any of the provisions of this section as required of him, he shall be fined not exceeding fifty dollars, in the discretion of such court martial as the case may require.

Proceed-  
ings against  
persons not  
attending.

SEC. 23. *And be it enacted*, That if any delinquent from parade being notified of the time and place of the meeting of any such courts of appeal in the manner prescribed by this act, shall refuse or neglect to attend, the said court is authorized and empowered to proceed to the trial of such delinquent as if he was personally present; *Provided nevertheless*, that the said delinquent shall have power of making his excuse in writing or otherwise in cases where he is prevented from attending said court by sickness or absence from said city; and if he should from the same causes, or either of them be unable to