

tion transmit a notice thereof to the governor and council under a penalty not exceeding twenty dollars, in the discretion of such court martial as the case may require.

Com-
missioned
officers to
qualify.

Certificate.

Oaths.

SEC. 54. *And be it enacted*, That no person shall be commissioned under this act, unless he shall be a citizen of the United States and of this state; and each commissioned officer already appointed who may have neglected to take the oaths required of him or to have them endorsed on his commission, or a certificate that he had taken the same so endorsed, shall forthwith take the several oaths prescribed by the constitution of this state, and also take the following oath or affirmation: 'I A. B. do swear or affirm as the case may be, that I will be true and faithful to the state of Maryland, and that I will diligently and faithfully do and perform the several duties assigned to me as — in the militia of the state of Maryland, and execute the several provisions of this law according to the best of my skill and abilities, so help me God;' and a certificate of his having done so, shall be endorsed on the commission by the person who may have administered such oaths, and all officers hereafter commissioned shall take the like oaths, and have the like certificate thereof, endorsed on their commissions, which they shall report in writing, if a major-general to the commander-in-chief, if a brigadier-general to the commanding officer of the division, if regimental field officers or brigade staff officers, to the commanding officers of their respective brigades, and if company or regimental staff officers, to the commanding officers of their respective regiments, previous to their entering on any of their respective duties; and if any officer shall neglect or refuse to comply with the provisions of this section as required of him, he shall be liable to be cashiered or fined not exceeding one hundred dollars, in the discretion of such court martial as the case may require.

Penalty.

Officers
charged
with
offences.

SEC. 55. *And be it enacted*, That no commissioned officer charged with any violation of this act, for which he might be cashiered, shall be suffered to do duty in the division, brigade, regiment or company to which he belongs, nor to resign his commission whilst under such charge, until he has had his trial by a court martial; and every person so charged shall be tried as soon as a court martial can conveniently be assembled, and shall be furnished by his brigade inspector, adjutant of his regiment or other person as the case may require, with a copy of the charges exhibited against him at least ten days before his trial; and in case any delinquent being duly notified of the time and place of any such court martial, shall refuse or neglect to attend, the said court martial is authorized and empowered to proceed to the trial of such delinquent, in the same manner as if he were personally present; *Provided nevertheless*, that