

the same, and each and every person belonging to said organized band of musicians, shall be under the command and direction of the said commanding officer, and shall perform the duty of musicians in said regiment instead of serving as privates therein; and at the division review and regimental parades as directed by this act, the commanding officer as aforesaid shall cause the names of said musicians to be called over, and a list of absentees to be returned to him within three days after each of said meetings, which shall in like manner, and at the same time as is prescribed in this act for other absentees, be handed over to the court of appeal for the trial of the appeals of company officers, non-commissioned officers and privates as absentees from parade; and in case any of them should neglect or refuse to appear at such meetings when warned, with their instruments of music, they shall be liable to such fines and forfeitures, to be remitted or collected and distributed in the same manner as is provided for in the case of non-commissioned officers and privates; and if the said commanding officer shall neglect or refuse to comply with the provisions of this section, he shall be fined a sum not exceeding thirty dollars, in the discretion of such court martial as the case may require.

SEC. 70. *And be it enacted*, That in case of invasion, or threatened invasion of Baltimore county, or any part of the limits of the city of Baltimore, the commanding officer of the division, the commanding officers of brigades, or the commanding officers of regiments, shall have full power to order out the militia belonging to their respective districts or commands, or any part thereof; and it shall be the duty of any such officer to give notice of any such invasion or threatened invasion, with every circumstance attending the same, as early as possible, to his immediate commanding officer, by whom such information shall be transmitted with the utmost expedition to the commander-in-chief of this state, and in such cases it shall be the duty of the commanding officer of the regiment within the limits aforesaid, to assemble his regiment, or such part thereof as he may deem necessary, and take such measures as may be requisite for the public defence and protection of the state, until the orders of the commanding officer of the brigade to which he belongs shall be by him received, and it shall be the duty of the commanding officer of the said brigade, immediately upon receiving such information, to communicate it to the commanding officer of the division, and to give such orders, and if necessary such aid from his brigade, by causing detachments therefrom as aforesaid, as in his judgment shall be required, until the orders of the said commanding officer of division can be received; and to transmit information of what he shall so have done in the premises, to the commander-in-chief, and to the

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