

divisions; the resignation of regimental field officers and brigade staff officers shall be made through their respective brigade generals; and the resignations of company and regimental staff officers through their respective commanding officers of regiments, and at least sixty days previous to any day of parade as herein prescribed, except in case of removal or where the resignation is sooner accepted by the officer authorized to receive the same; and otherwise no officer shall be considered as having resigned; and the officer shall, within ten days after accepting such resignation, transmit a notice thereof to the Governor, under a penalty not exceeding twenty dollars, in the discretion of such court martial as the case may require.

722. No person shall be commissioned under this law but a citizen of the United States and of this State; and each commissioned officer shall, in addition to the oaths prescribed by the Constitution, also take the following oath: "I, A. B., do swear 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 the law under which I am commissioned, according to the best of my skill and abilities, so help me God;" and a certificate of his having taken such oaths shall be endorsed on the commission by the person who shall have administered the same, and the officers shall report the fact 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.

723. No commissioned officer charged with any violation of this law 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 charges, 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