

manding officer, be refused redress, he may complain to the commanding officer of his brigade, who, on finding that the person complained of has violated this law, shall order such court martial as the case may require for the trial of such offence, which court may punish the offender by cashiering, reprimanding, suspending or fining not exceeding fifty dollars, in their discretion; and if any officer shall neglect or refuse to comply with any of the provisions of this section as required of him, he shall be fined not exceeding one hundred dollars, in the discretion of such court martial as the case may require.

730. The commanding officer of any regiment may, on any vacancy occurring in his staff, brevet any person to fill such vacancy, or he may appoint a brevet officer to any company of his regiment which may be without company officers, in consequence of death, resignation, disqualification or other cause; *Provided*, that the said commanding officer shall immediately thereafter notify the Governor of the same; and such brevet officer shall have and exercise all the powers incident to his office, in as full and ample a manner as if he was commissioned, until he shall be superseded by a commissioned officer.

731. All staff officers shall rank agreeably to the regulations of the army of the United States, and may be taken from the line without impairing their rights in the same.

732. The commanding officer of each regiment may form and organize a band of musicians for his regiment, and may prescribe and alter, whenever it shall appear to him proper, the uniforms of the same, and each and every person belonging to such organized band of musicians shall be under the command and direction of the said commanding officer, and shall perform the duty of musician in the regiment, instead of serving as privates therein; and at the division review and regimental parades as herein prescribed, the said commanding officer 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 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 parades; and if 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