

**CHAP. 228.** period, as directed by this act; and he shall at the same time transmit the lists of absentees to the said court martial, which shall meet on the last Monday in said month; and the said commanding officer of each brigade shall, on or before the twentieth of November in each year, appoint the court martial for the trial of all commissioned and staff officers of his brigade who were absent from the parades, as directed by this act, subsequent to those mentioned in the preceding part of this section; and he shall at the same time transmit the lists of absentees to the said court martial, which shall meet on the first Monday in December; and it shall be the duty of the brigade majors respectively, to notify such absentees, in writing, of the time and place of holding said courts, or cause such notice to be left at their place of abode, at least three days previous thereto; and in case any absentee, notified as aforesaid, shall refuse or neglect to attend, the said courts martial are authorised and empowered to proceed to the trial of such absentees as if they were personally present; and if either of the said officers shall refuse or neglect to comply with either of the provisions of this section, he shall be fined not less than five nor more than one hundred dollars, in the discretion of such court martial as the case may require.

Courts martial to try privates, &c.

**16. AND BE IT ENACTED,** That the courts martial to try all non-commissioned officers, privates and musicians, as absentees from parade, shall consist of one member from each company of a regiment or extra battalion, one third of whom at least shall be privates.

To try commissioned and staff officers.

**17. AND BE IT ENACTED,** That the courts martial to try all commissioned and staff officers of either brigade, as absentees from parade, shall consist of an officer from each regiment and extra battalion of the same brigade, one third of whom at least shall be subalterns.

Division courts martial.

**18. AND BE IT ENACTED,** That every division court martial shall be appointed by the commanding officer of the division, and shall consist of not less than five nor more than thirteen members, two thirds of whom at least shall be field officers, who shall have the power to try the commanding officers of the brigades for all violations of this act.

Brigade courts martial.

**19. AND BE IT ENACTED,** That every brigade court martial shall be appointed by the commanding officer of the brigade, and shall consist of not less than five nor more than thirteen members, one third at least of whom shall be field officers, who shall have the power to try all field and brigade staff officers, for all violations of this act, other than absence from parade.

Regimental courts martial.

**20. AND BE IT ENACTED,** That every regimental court martial shall be appointed by the commanding officer of the regiment, and shall consist of not less than three nor more than seven commissioned officers, who shall have power to try all company, regimental and extra battalion staff officers for all violations of this act, other than absence from parade.

Extra battalion court martial.

**21. AND BE IT ENACTED,** That every extra battalion court martial shall be appointed by the commanding officer of the extra battalion, and shall consist of not less than three, nor more than seven commissioned officers, who shall have power to try all company officers for violations of this act, other than absence from parade; every company court martial shall be appointed by the com-