

CHAP. 228. may cause such offender to be confined for the day, and may fine him not exceeding fifty dollars; and the returns thereof for collection shall be made as other fines imposed by such courts.

Officers, &c. removing

44. **AND BE IT ENACTED**, That any commanding officer removing out of the limits of the city of Baltimore, or if a cavalry or field officer, or brigadier general, out of the county, with an intention of making a permanent change of his residence, shall on such removal be deemed to have resigned his commission; and it shall be the duty of the commanding officer of the regiment, or extra battalion, to which he belonged, or the major general of his division, in case of such removal of a brigadier general, to make such vacancy known to the governor and council as soon thereafter as conveniently may be; and in case of neglect or refusal to comply with the provisions of this section, the said commanding officer shall be fined in a sum not exceeding fifty dollars, in the discretion of such court martial as the case may require.

Militia men not to receive with out notifying officers

45. **AND BE IT ENACTED**. That if any militia man shall remove out of the district in which he was originally enrolled, into another district, or shall become a member of any uniformed volunteer company, he shall be subject to all the fines and forfeitures which shall be incurred in the district where first enrolled, until he produces to the commanding officer of the said district a certificate from the commanding officer of the district into which he shall have so removed, or from the commanding officer of said volunteer company, stating that he has been enrolled in said district or volunteer company; and no person shall be permitted to leave his company, except in the cases aforesaid, or unless he shall remove out of the limits of the said brigades, or unless commissioned in some other corps, without the consent of his commanding officer, under a penalty not exceeding twenty dollars, in the discretion of such court martial as the case may require.

Resignations, how to be made

46. **AND BE IT ENACTED**. That all resignations of company and regimental and extra battalion staff officers, shall be made through their commanding officers of regiments or extra battalion, as the case may be; and all resignations of commanding officers of regiments, battalions, and extra battalions, and brigade staff officers, through their respective brigadier generals, and at least sixty days prior to the regular field days, except in the case of removal, and that otherwise no officer shall be considered as having resigned; which officers shall, within ten days, after receiving such resignation, transmit a notification 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.

Officers must be sworn in and take the oaths, &c.

47. **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, and having accepted such appointment, who may have neglected to take the oaths required of him, or to have them endorsed on his commission, 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 me as — in the militia of the state of Maryland, according