

C H A P.
CXXVIII.

ing officers of battalions, or extra battalions, shall, within ten days thereafter, cause a like notice to be given to the captains or commanding officers of companies, under the penalty of a sum not exceeding forty dollars, at the discretion of a brigade court-martial; and the captains or commanding officers of companies shall cause a notice to be given to each commissioned, noncommissioned officer and private, composing their companies, at least three days previous to the days of meeting, under the penalty of a sum not exceeding thirty dollars, at the discretion of a regimental court-martial.

Commanding officer to appoint eight days, &c.

VIII. AND BE IT ENACTED, That each commanding officer shall appoint eight days for the meeting and exercising of his company, between the first day of March and the first day of December in each and every year, who shall be notified thereof, and the said companies shall meet and be exercised on the days so appointed; and it shall be the duty of every commanding officer of a company to appoint a fit and proper person, who shall, at the end of one hour after the time appointed for the meeting of the company, battalion or regiment, as the case may be, call over the muster-roll of the company, noting those who are absent, and on that day, or within three days thereafter, shall make return, in writing, of such absentees, to the commanding officer of the company.

Penalty on officers for not attending, &c.

IX. AND BE IT ENACTED, That if any commissioned officer, whose duty it shall be to attend, shall refuse or neglect to attend any of said meetings, or attending, shall refuse to do the duties of his station, he shall be fined, at the discretion of a regimental court-martial, not less than five dollars, nor more than fifty dollars, for every offence; and if any person belonging to the militia, whose duty it shall be to meet and muster under the provisions of this act, shall neglect to attend any of the said meetings, or attending, shall refuse to do the duties of his station, or shall depart from the parade without being duly discharged, such person, if a noncommissioned officer or private, shall, at the discretion of a company court-martial, be fined a sum not less than one hundred cents, nor exceeding ten dollars.

Penalty for appearing without arms, &c.

X. AND BE IT ENACTED, That if any noncommissioned officer or private, who has provided himself with a musket or firelock, as is directed by this act, or who has received one the property of the state, shall appear in the ranks at any of said meetings without such musket or firelock in serviceable order, he shall be fined a sum not less than one hundred cents, nor more than five dollars, in the discretion of a company court-martial.

Quakers, &c. exempt, &c.

XI. AND BE IT ENACTED, That each quaker, menonist, tunker, or person conscientiously scrupulous of bearing arms, between eighteen and forty-five years of age, shall be exempt from militia duty according to the provisions of this act, except when called into actual service, on the payment of five dollars annually.

Officer to appoint his non-commissioned officers, &c.

XII. AND BE IT ENACTED, That the commanding officer of each company shall appoint his non-commissioned officers, and if any person so appointed, having accepted of such appointment, shall neglect to do the duties thereof, or refuse or neglect to obey the orders of his superior officers, he shall forfeit and pay a sum not less than one dollar, nor exceeding twenty dollars, in the discretion of a company court-martial.

All violations to be submitted, shall be inquired into, &c.

XIII. AND BE IT ENACTED, That all violations of the provisions of this law to be submitted to the decision of a company court-martial, shall be inquired into by said court-martial at the next stated meeting of their, or at such convenient time thereafter as the said court may appoint, the delinquent or delinquents being duly notified to appear before the said court-martial, to answer the charge or charges alleged against him or them respectively; and in case any delinquent, being duly notified of the time and place of meeting of any such court-martial, shall refuse or neglect to attend, the said court-martial is authorised and empowered to proceed to the trial of such delinquent, in the same manner as if he were personally present.

Officers removing, deemed to have resigned, &c.

XIV. AND BE IT ENACTED, That any officer removing out of the district of his battalion, or, if a field-officer or brigadier-general, out of his district and 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, to make such vacancy known to the governor and council, as soon thereafter as conveniently may be; provided, that the removal of any such officer residing in Baltimore county or city, or any city or town, or precincts thereof, to any part of the said Baltimore county or city, or of such town or city, or the precincts thereof, shall in no wise be considered as the resignation of such officer.