

several regiments and extra-battalions of militia in this state, to form and organize a band of musicians within, and for his said regiment or extra-battalion; and that each and every person belonging to said organized band of musicians shall be under the command and direction of the said commandant; and for neglecting or refusing to appear at any parade or meeting of officers, when warned, with their instruments of music, or for disobedience of orders, shall be liable to such fines and penalties as non-commissioned officers and privates are subject to by this act.

1812.

35. AND BE IT ENACTED, That every captain or commandant of a company may enrol at least two, and not more than four persons residing in his district, who are desirous and willing to be enrolled in such company as musicians; and such persons so enrolled shall perform the duty of musicians in said company, instead of serving as privates therein.

Captains and commandants of companies may enrol persons to act as musicians.

36. AND BE IT ENACTED, That in case any musician enrolled in any company shall not, on any day of parade directed by this act, be engaged in the actual performance of his duty as a musician, that then and in every such case the captain or commandant of the company shall make return of such musician's refusal to serve as aforesaid, to the court martial; which court martial is hereby authorised to impose and levy the same fine on such musician for so refusing or neglecting to perform his duty as aforesaid, as non-commissioned officers and privates are liable to, for absence from any parade directed by this act.

Musicians shall be fined for non-attendance to their duties on parade days.

37. AND BE IT ENACTED, That every private capable of serving as a musician, may, with the consent of the captain or commandant of the company to which he belongs, at any parade, by this act directed, act in the capacity of a musician in any other company in the same regiment or battalion with the company to which he belongs; and that the facts of his having performed the duty of a musician at such parade, and of his captain's or commandant's consent thereto as aforesaid, shall be a sufficient cause to remit any fine which he may have incurred by reason of his absence from the parade of the company to which he belongs, on the day on which he was so acting as a musician as aforesaid.

Musicians—privates may act as such in other companies in the same regiment or battalion.

38. AND BE IT ENACTED, That it shall and may be lawful for any person above the age of twenty-one, or between the age of eighteen and twenty-one, with the consent of their parent or parents, guar-

Persons above the age of 18 years may join uniformed militia companies.