

Dec. Ses. 1817

Officers not to do duty while under arrest.

Written notice of place of parade to be given to brigade-major.

Adjutant's duty.

Extra battalion staff.

Militia may be kept under arms 6 hours.

48. *And be it enacted*, That no commissioned officer, charged with any violation of this act, for which he might be cashiered, shall be suffered to do duty in the brigade, regiment, extra battalion, or company, to which he belongs, nor to resign his commission whilst under such charge, until he has had his trial by a court-martial; and every person so charged, shall be tried as soon as a court-martial can conveniently be assembled, and shall be furnished by his brigade inspector, adjutant of his regiment, or other person, as the case may require, with a copy of the charges exhibited against him, at least ten days before his trial; and in case any delinquent, being duly notified of the time and place of meeting of any such court martial, who 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.

49. *And be it enacted*, That the commanding officer of each regiment and extra battalion shall, under a penalty not exceeding fifty dollars, to be imposed by such court martial as the case may require, notify in writing, the brigade inspector of his brigade, or cause such notice to be left at his residence, of the place of his regiment or extra battalion parade, as established by this act, at least three days previous thereto; and it shall be the duty of the brigade inspectors respectively, to attend said meetings, and inspect the said regiments and extra battalion; or if prevented from attending by sickness, or some such sufficient excuse, other than business, he shall appoint such officer of the brigade as will execute said duties; and for the purpose of making the return herein after directed, the commanding officer of each regiment and extra battalion shall, within ten days after such inspection, make return to the said inspector of all arms and accoutrements, the property of the state, designating such as are fit for service, and also of all private arms and accoutrements, and the companies and corps by which they are held, and the commanding officers of companies shall make such reports as the commanding officers aforesaid may require for said purpose; and the said brigade inspectors shall respectively, on or before the first of December thereafter, make a consolidated return thereof to the adjutant general of the state; and the said inspectors shall respectively attend the brigadier generals, when required, to receive and execute all orders necessary to carry into effect the provisions of this act; and if any officer shall neglect or refuse to execute any of the duties herein prescribed, he shall be fined not exceeding one hundred dollars, in the discretion of such court martial as the case may require.

50. *And be it enacted*, That it shall be the duty of the adjutant of each regiment and extra battalion, to attend all meetings as directed by this act, and execute the orders of the commanding officers, necessary to carry into effect the provisions thereof, and upon refusal or neglect, to be subject to a fine not exceeding fifty dollars, in the discretion of such court martial as the case may require.

51. *And be it enacted*, That the same number of staff officers shall be commissioned by the governor and council, for an extra battalion, as heretofore authorised for a regiment.

52. *And be it enacted*, That the militia on any day of exercise, as established by this act, may be detained under arms in the field any time not exceeding six hours, provided they are not kept above

three hours per time to

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