

ART. 7. Every regimental court-martial shall be composed of five commissioned officers.

ART. 8. Every company court-martial shall consist of one subaltern officer, one non-commissioned officer, and one private, to be selected from the company by the captain or other commanding officer of the company; and it shall be the duty of every captain or other commanding officer of a company to appoint, at each meeting of the company, a company court-martial, to try the delinquencies of such meeting, the court-martial to assemble and try such delinquencies at the succeeding meeting of the company, and the commissioned officer shall be the president of such court-martial.

ART. 9. In any court-martial not less than two thirds of the members must agree in every sentence for inflicting any penalty, otherwise the person charged shall be acquitted.

ART. 10. The president of each and every court-martial shall require all witnesses, in order to the trial of offenders, to declare on oath or affirmation, as the case may be, that the evidence they shall give is the truth, the whole truth, and nothing but the truth; and the members of all such courts shall take an oath, or affirmation, which the president is required to administer to them, as follows: "You and each of you do swear, or affirm, (as the case may be,) that you will well and truly try, and impartially determine, all causes to be tried by this court, according to the rules for regulating and governing the militia of the state of Maryland; so help you God;" and the president shall take the same oath, to be administered by any member of the court martial.

ART. 11. All persons called as witnesses in any case before a court-martial, who shall refuse to attend and give evidence, shall be fined at the discretion of the said court, not exceeding twenty dollars, nor less than seventy five cents.

ART. 12. No officer, being charged with transgressing any of these rules, shall be suffered to do duty in the regiment, company or troop, to which he belongs, 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.

ART. 13. If any officer or private shall think himself injured by his lieutenant colonel or the commanding officer of the regiment, or extra battalion, and shall, upon due application made to him, be refused redress, he may complain to the brigadier-general, who may, in his discretion, direct the inspector of the brigade to summon a brigade court-martial, that justice may be done.

ART. 14. If any non-commissioned officer or private shall think himself injured by his captain, or other superior officer in the regiment, troop or company, to which he belongs, he may complain to the commanding officer of the regiment, who shall, at his discretion, summon a regimental court-martial for doing justice according to the nature of the case.

ART. 15. The officer ordering the court-martial, or in his absence the next to him in rank, shall have full power of pardoning or mitigating any censures or penalties ordered to be inflicted on any officer, non-commissioned officer or private, for the breach of any of these articles, by such court-martial, excepting only where such censures or penalties are directed as satisfaction for injuries received by one officer from another, such sentence to be approved by the commander in chief, who is empowered to pardon or mitigate such sentence, or disapprove of the same in case of cashiering only.

ART. 16. The militia on the days of exercise may be detained under arms on duty in the field any time not exceeding six hours, provided they are not kept above three hours under arms at any one time without allowing them proper time to refresh themselves.

ART. 17. All fines incurred by field officers, in consequence of any breach of these articles, shall be paid into the hands of the inspectors of brigades, for the use of said brigades, under the direction of the brigadier thereof; and all fines incurred by platoon officers, non-commissioned officers and privates, in consequence of any breach of these articles, shall be paid into the hands of the lieutenant-colonel, or to such persons as the said inspector or lieutenant colonel shall respectively appoint, within three weeks after they shall become due, but in case of any neglect or refusal to pay any of the said fines, the same shall be collected and levied in the manner herein after described.

6. In all cases where a militia-man may be draughted to perform a tour of duty under the laws of this state, he shall be considered as a soldier, and liable to all the duties as such, unless he shall furnish a substitute, and the lieutenant-colonel of the regiment, or commanding officer of the extra battalion, as the case may be, to which he may belong, shall