

C H A P.
XCIX.

Chancellor to
inquire, &c.

If he shall de-
cree, land may
be conveyed,
&c.

Passed Jan. 19.

Penalty for not
attending, &c.

Captain to ap-
point the non-
commissioned
officers, &c.

Court-martial
to hear excuses,
&c.

Officers re-
moving deemed
to have resign-
ed, &c.

Articles for the
government of
the militia.

II. BE IT ENACTED, by the General Assembly of Maryland, That it shall and may be lawful for the Chancellor, upon the petition of the said John Eversfield, Susannah Eversfield, Thomas Mundell and Virilinda his wife, and Anne Eleanor Eversfield, to inquire into the circumstances above stated, and if he shall be of opinion that an exchange of the said lands between the said John Eversfield and the other representatives of the said Matthew Eversfield will be for the advantage and benefit of the minors, he may decree the same to be done.

III. AND BE IT ENACTED, That if the chancellor shall decree an exchange of the said lands between the said John Eversfield and the other representatives of the said Matthew Eversfield, that the aforesaid Edward Botelar, or any other person who may have the legal estate in the land aforesaid of which the said Matthew Eversfield died intestate, may convey the same to the aforesaid John Eversfield, and his heirs, for ever, and all the right, title, interest or claim, of the said representatives, or of any of them, shall thereafter be vested in the said John Eversfield, and his heirs, for ever; provided, that the said John Eversfield, before the conveyance as aforesaid, shall execute a deed of bargain and sale to the other representatives of the said Matthew Eversfield, in which he shall convey to them, and their heirs, as tenants in common, and not as joint tenants, all the land of which he is tenant in tail, and all other land of which he is seized that adjoins the entailed land aforesaid; and provided also, that the said John Eversfield shall release to the aforesaid representatives, and their heirs, as tenants in common, and not as joint tenants, all his right, title, interest and claim, as one of the representatives of the said Matthew Eversfield, to the lands aforesaid, of which the said Matthew Eversfield died intestate.

C H A P. C.

A Supplement to the act, entitled, An act to regulate and discipline the militia of this state.

BE IT ENACTED, by the General Assembly of Maryland, That if any person, whose duty it shall be to meet and muster under the provisions of this act, or the act to which this is a supplement, shall not attend on any day of meeting prescribed by any officer authorized to require the same, or attending, shall refuse to do the duties of his station at such meeting, such person, if a non-commissioned officer or private, shall, at the discretion of a company court-martial, to be appointed as herein after directed, be fined a sum not less than seventy-five cents, nor exceeding five dollars; and if a commissioned officer shall refuse or neglect to attend at any company, battalion or regimental meeting, he shall be fined, at the discretion of a regimental court-martial, not less than five dollars, nor more than fifty dollars.

II. AND BE IT ENACTED, That the captain, or other commanding officer of each company, shall appoint the non-commissioned officers of his company, and if any person so appointed shall accept, and neglect to do the duties annexed to his appointment, or refuse or neglect to obey the orders of his superior officers, he shall forfeit and pay a sum not exceeding ten dollars, in the discretion of the commissioned officers of the company, without a sufficient excuse for his refusal or neglect.

III. AND BE IT ENACTED, That in all cases where such fine or fines may be incurred in consequence of non-attendance, or otherwise, the court-martial shall, at the next meeting day of the company, and at the place of such meeting, proceed to hear and determine on the excuses of every such delinquent, and if such delinquent shall, on such hearing, be adjudged liable to a fine, or if such person shall not attend on notice, without a good excuse for said neglect, and thereupon be considered liable to a fine, the captain, or other officer, (as the case may be,) commanding the said company, shall, within two months thereafter, make return of said fines so imposed and remaining unpaid, to the lieutenant-colonel commanding the regiment, or commanders of extra battalions; and if any captain or other commanding officer as aforesaid shall neglect or refuse as aforesaid, he shall forfeit and pay the sum of ten dollars, and the lieutenant-colonel or commander of an extra battalion shall place such fine in the list to be delivered to the sheriff, and the same shall be collected by him, and paid over and applied as other fines are to be collected, paid over and applied, under this act.

IV. AND BE IT ENACTED, That all officers removing out of the county, or, if a general officer, out of his district, with an intention of making a permanent residence, shall, on such removal, be deemed to have resigned his commission; and it shall be the duty of every officer commanding a regiment, or extra battalion, to make known any vacancy which may take place as soon as convenient after such vacancy shall happen, to the brigadier, or officer commanding the brigade, who is hereby required to report the same to the adjutant-general as soon as may be thereafter.

V. AND BE IT ENACTED, That the following articles, rules and regulations, shall be those by which the militia of this state shall be governed.

ARTICLE I. If any field or other commissioned officer, at any regimental, battalion or company meeting, or any other occasion when the regiment, battalion or company, to which he may belong, or in which he holds a command, is paraded, shall appear, misbehave, or demean himself in an unofficer-like manner, he shall, for such offence, be cashiered, or punished by fine, at the discretion of a court-martial, as the case may require, in any sum not exceeding fifty dollars, nor less than five dollars; that for offences against the militia law of this state, all company officers shall be tried by a regimental court-martial, but in cases of cashiering, they may have an appeal to a brigade court-martial; all field and staff-officers shall be tried by a brigade court-martial, and all general officers shall be tried by a division or general court-martial; and that the proceedings of every court-martial, in case of sentence for cashiering, be transmitted to the commander in chief to approve or disapprove of; and if any non-commissioned officer or private shall, on any occasion of parading the company to which he belongs, appear drunk, or shall disobey orders, or use any reproachful or abusive language to his officers, or any of them, or shall quarrel