

niently be assembled, and shall be furnished by the adjutant-general, the brigade inspector, adjutant of the regiment, or other person, as the case may require, with a copy of the charge or charges exhibited against him, at least ten days before his trial, that he may have an opportunity to prepare his defence.

Article 14th. If any officer or private shall think himself injured by the commanding officer of the regiment or extra battalion, and shall, upon due application made to such commanding officer, 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 to such officer or private.

Article 15th. If any noncommissioned officer or private shall think himself injured by his captain, or other superior officer in the regiment, extra battalion, troop or company, to which he belongs, he may complain to the commanding officer of the regiment, or if a trooper or artillerist, to the brigadier-general, or commanding officer of his brigade, who shall, at his discretion, summon a regimental court martial for doing justice according to the nature of the case.

16th. The officer ordering the court-martial, or his successor in authority in case of his death or absence, shall, where a censure or fine shall be adjudged by such court-martial, have full power to pardon the person adjudged to be censured or fined, or to mitigate such censure or fine, except where such censure or fine are adjudged as satisfaction for injuries received by one officer or private from another.

17th. That every general court-martial shall be appointed by the commander in chief, every division court-martial by the commanding officer of the division, every brigade court-martial by the commanding officer of the brigade, every regimental court-martial by the commanding officer of the regiment, every extra battalion court-martial by the commanding officer of the extra battalion, and every company court-martial by the commanding officer of the company; and the commanding officer appointing any court martial shall appoint the president thereof, who shall appoint some suitable person or clerk, to reduce to writing the proceedings of said court-martial, and the testimony given before them.

Article 18th. The militia, on any day of exercise, may be detained under arms, 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.

VI. AND BE IT ENACTED, That in case of an insurrection or threatened insurrection within, or invasion or threatened invasion of, any part of this state, a major-general, brigadier-general, commanding officer of a regiment, battalion or extra battalion, shall have power to order out the troops, or any part of them, belonging to their respective districts, where the insurrection or threatened insurrection, or invasion or threatened invasion, may or is expected to take place; and the said commanding officer may call on the commanding officers of the regiments or extra battalions in the adjacent counties for such aid as he may think necessary, who shall forthwith furnish the same; and it shall be the duty of the commanding officer calling out the militia, to communicate to his next superior officer, and to the commander in chief, as soon as possible, information respecting the said insurrection, threatened insurrection, or invasion or threatened invasion; and the said commanding officer shall order out any of the militia under his command when so required to do by two justices of the peace, stating, in writing, under their hands, that they have good reason to believe, that the peace and quiet of the state is likely to be endangered.

In case of insurrection, troops may be ordered out, &c.

VII. AND, for the purpose of disciplining the militia of this state, BE IT ENACTED, That each brigadier-general, or commanding officer of a brigade, shall appoint a day for the meeting and exercising of each battalion of his brigade in the month of May next, and shall also appoint a day for the meeting, exercising and inspection, in the month of September next, of each regiment and extra battalion, so that it shall be in the power of the brigade inspector to attend to inspect the same; and it shall be the duty of the brigade inspector to give notice to the commanding officers of regiments and extra battalions composing the brigade to which he belongs, of the days so appointed, at least forty days previous thereto; which days, when so appointed, shall continue to be the days of meeting of the regiments and battalions annually, unless otherwise ordered by the brigadier or commanding officer of the brigade; and if any brigade inspector shall neglect to give the notice aforesaid to the commanding officers of regiments and extra battalions, or shall neglect to attend the several regimental and extra battalion meetings, as by this act is directed, or if attending, shall fail to inspect the same, and make report thereof as directed by the commanding officer of the brigade, he shall, for every such neglect, be fined a sum not more than one hundred dollars, at the discretion of a brigade court-martial; and the commanding officers of regiments shall, within eight days thereafter, cause a notice to be given to the majors or commanding officers of battalions, under the penalty of a sum not exceeding fifty dollars, at the discretion of a brigade court-martial; and the majors or command-

Brigadier to appoint a day, &c.