

1812.

Commanding officers shall appoint their non-commissioned officers.

13. AND BE IT ENACTED, That the commanding officer of each company shall appoint his non-commissioned officers; and if any person so appointed, having accepted of such appointment, shall neglect to do the duties thereof, or refuse or neglect to obey the orders of his superior officers, he shall forfeit and pay a sum not less than one dollar, nor exceeding ten dollars, in the discretion of a company court-martial; and the non-commissioned officer who shall be directed by the commanding officer to notify the members composing his company to meet and muster according to this act, shall receive (out of the fines of such company) two dollars for each muster day: *Provided*, That where all the members composing such company shall reside in a town or city, or the precincts thereof, the non-commissioned officer shall receive one dollar for said service.

Proviso.

Violations of this law.

14. AND BE IT ENACTED, That all violations of the provisions of this law, to be submitted to the decision of a company court-martial, shall be enquired into by said court-martial, at the next stated meeting of their company, or at such convenient time thereafter as the said court may appoint; the delinquent or delinquents being duly notified to appear before the said court-martial to answer the charge or charges alleged against him or them respectively; and in case any delinquent being duly notified of the time and place of meeting of any such court-martial, 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.

Removal of officers out of their districts.

15. AND BE IT ENACTED, That any officer removing out of the district of his regiment or extra-battalion; or if a field officer or brigadier-general, out of his district and county, with an intention of making a permanent change of his residence, shall, on such removal, be deemed to have resigned his commission; and it shall be the duty of the commanding officer of the regiment or extra battalion to which he belonged, to make such vacancy known to the governor and council as soon thereafter as conveniently may be; *Provided*, That the removal of any such officer residing in Baltimore city, to any part of said city, or the precincts thereof; or residing in the precincts, to said city or any part thereof, shall in no wise be considered as the resignation of such officer; *Provided also*, That staff-officers residing in the city of Balti-

Proviso.