

Dec. Ses. 1817

such other person as he may appoint, who shall note those who are absent, and within two days thereafter shall make a return, in writing, of such absentees, to the commanding officer of his regiment, or extra battalion; and the said commanding officer shall, within ten days thereafter, cause the same to be entered on his regimental or extra battalion book, and transmitted to the commanding officer of the brigade to which he belongs, together with a consolidated return of the strength of his regiment or extra battalion, which shall be entered on the books of the brigade; and if any of said officers shall neglect or refuse to execute the duties required by this section, he or they shall be fined not more than fifty dollars, in the discretion of such court martial as the case may require.

Fine on officers for not attending parade

13. *And be it enacted*, That if any commissioned officer, whose duty it shall be to attend, shall refuse or neglect to attend any of the meetings prescribed by this act, he shall be fined at the discretion of the court martial instituted for the purpose of trying such absentees from parade, not less than five dollars, nor more than fifty dollars, for every offence; and if any person belonging to the militia, whose duty it shall be to meet and muster under the provisions of this act, shall neglect or refuse to attend any of said meetings, or shall depart from parade without being duly discharged, such person if a non-commissioned officer, private or musician, shall be fined at the discretion of the court martial instituted for the purpose of trying such delinquents from parade, a sum not less than fifty cents, and not exceeding five dollars.

Court martial to be appointed to try absentees.

14. *And be it enacted*, That the commanding officer of each regiment or extra battalion, shall, within five days after each parade as directed by this act, appoint the court-martial for the trial of such non-commissioned officers, privates and musicians, as were absent from said parade; and he shall, at the same time, transmit a list of absentees to the said court-martial; and in case any delinquent, being duly notified of the time and place of meeting of any such court-martial, in the manner prescribed by this act, shall refuse or neglect to attend, the said court martial is authorised and empowered to proceed to the trial of such delinquent, as if he was personally present; and the officer neglecting or refusing to comply with either of the provisions of this section, shall be fined not exceeding fifty dollars, in the discretion of such court martial as the case may require.

Brigade courts martial to try absentees.

15. *And be it enacted*, That the commanding officer of each brigade shall, on or before the fifteenth of July in every year, appoint the court martial for the trial of all commissioned and staff officers of his brigade who were absent from the parades up to that period, as directed by this act; and he shall at the same time transmit the lists of absentees to the said court martial, which shall meet on the last Monday of said month; and the said commanding officer of each brigade shall, on or before the twentieth of November in each year, appoint the court martial for the trial of all commissioned and staff officers of his brigade who were absent from the parades, as directed by this act, subsequent to those mentioned in the preceding part of this section; and he shall at the same time transmit the lists of absentees to the said court martial, which shall meet on the first Monday in December; and it shall be the duty of the brigade majors respectively, to notify such absentees, in writing,