

his brigade has not such complement, he shall investigate, or cause the fact to be investigated; and if it shall be established to his satisfaction that said company has not the requisite number of men, he shall forthwith report the same to the governor and council, who shall thereupon revoke the commissions of said company; and the commanding officers of the regiment, or extra battalion, to which such company was attached, shall within ten days after such revocation, transmit a list of the names of the members of said company to each of the commanding officers of the regimental districts within the brigades, who shall forthwith cause the same to be delivered to their respective officers commanding company districts, with an order to enrol such as reside within their district; and if either of the said officers shall neglect or refuse to comply with the provisions of this section, he shall be fined, not exceeding fifty dollars, in the discretion of such court martial as the case may require; and no cavalry uniformed company shall consist of more than sixty men; no rifle uniformed volunteer company shall consist of more than one hundred men; no artillery uniformed volunteer company of more than ninety men; and no infantry uniformed volunteer company of more than one hundred men, exclusive of the commissioned officers of each.

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40. *And be it enacted,* That all certificates of membership issued by the commanding officers of uniformed volunteer companies shall be signed by the said commanding officer and one of his commissioned officers, and said certificates shall be delivered on or before the first day of March in each year to such persons as may then compose his company, and to such as may join thereafter, upon the day of their becoming members, and all such certificates shall be respected by the officers commanding company districts, as well as all courts martial held for the trial of absentees from parade from their date, and for the period for which they were given, unless sooner revoked by the commanding officer of said company; and if any commissioned officer shall issue such certificate to any person, who is not entitled under the provisions of this act to receive the same, he shall be cashiered or fined not exceeding one hundred dollars, in the discretion of such court martial as the case may require; and if any person shall give such certificate, who is not authorised to do so by the provisions of this act, such person shall forfeit and pay the sum of fifty dollars, the recovery of which shall be directed by any officer discovering the same.

Certificates of membership

41. *And be it enacted,* That the commanding officer of each company shall appoint and dismiss, at his pleasure, 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 such court martial as the case may require.

Non-commissioned officers to be appointed

42. *And be it enacted,* That if any field or other commissioned officer shall be guilty of any breach of orders, or shall at any brigade, regimental, extra battalion, battalion, or company meeting, or on any other occasion when the brigade, regiment, extra battalion, battalion or company, to which he may belong, or in or over which he holds a command, is paraded, or on duty, as pre-

Punishment for officers misbehaving, &c.