

Dec. Ses. 1817

By-standers  
may be punish-  
ed for offend-  
ing, &c.

Officers, &c.  
removing.

scribed in this act, or in the by-laws of any company, shall misbehave, demean himself, or appear in an unofficer like manner, he shall, for such offence, be cashiered, suspended, reprimanded, or punished by fine, in the discretion of such court martial as the case may require, not exceeding one hundred dollars, nor less than five dollars; and that the proceedings of every court martial in case of cashiering, shall be transmitted to the commander in chief for his approbation or disapprobation; and if any non-commissioned officer, private or musician, shall at the time of parading the company, (as directed by this act, or in the by-laws of the company to which he belongs) appear drunk, or disobey orders, or use any reproachful, insulting, or abusive language, to his officers, or any of them, or shall quarrel himself, or promote any quarrel among his fellow soldiers, or interrupt them in the discharge of their duty, he may be disarmed, and put under guard, by order of the commanding officer, until the company is dismissed, and shall be fined, at the discretion of such court martial as the case may require, a sum not exceeding twenty dollars; and if on field days, or when the brigade, regiment, or extra battalion, is paraded, any non-commissioned officer, private or musician, shall use any reproachful or insulting language to the commanding officer, oppose his orders, or promote an opposition to such orders among his fellow soldiers, he shall be disarmed and put under guard during such parade, and he shall be tried by a court-martial, chosen by the commanding officer, consisting of three commissioned officers, attached to the regiment or extra battalion to which such offender belongs, and he shall be fined a sum not exceeding fifty dollars, in the discretion of said court.

43. *And be it enacted*, That if any by-stander shall interrupt, molest or insult, any officer or soldier while on duty, at any time as required by this act or by the by-laws of any company, the commanding officer, at the time of such offence, may cause the offender to be confined for the day, and he shall also be fined not exceeding fifty dollars, in the discretion of a court martial to be appointed by such officer, to consist of three members, one of whom at least shall be a commissioned officer, which court shall proceed on such trial in the like manner as other courts martial for imposing fines under this act, and if the like misconduct shall take place before any court of inquiry, or court-martial, towards any officer or soldier, or other person required to attend such court, or towards such court, or any member thereof, the said court of inquiry, or court martial, may cause such offender to be confined for the day, and may fine him not exceeding fifty dollars; and the returns therefor for collection shall be made as other fines imposed by such courts.

44. *And be it enacted*, That any commanding officer removing out of the limits of the city of Baltimore, or if a cavalry or field officer, or brigadier general, out of the 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, or the major general of his division, in case of such removal of a brigadier general, to make such vacancy known to the governor and council as soon thereafter as