

# THE FORT EDWARD LEDGER.

VOL. 8.

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NO. 19.

## FORT EDWARD LEDGER

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BY C. B. CONANT.

TERMS—ONE DOLLAR A YEAR.

Office over Mathew's Hardware Store, Main Street.

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Marriages Deaths and Obituary Notices inserted free.

All kinds of job work executed with neatness, promptness, and at prices which defy competition.

## Business Directory.

E. A. CRAY,  
DEALER in Foreign and Domestic Wines,  
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J. A. OBER,  
HARNESS MAKER, Sherwood's Row,  
near the Grist Mill.

W. GULFORD,  
BOOT AND SHOE Manufacturer, opposite  
Conant & Co.'s Blacksmith shop.

CENTRAL SALOON,  
WING'S Exchange. C. R. BACKUS, Proprietor.

HODGMAN & Co.,  
DEALERS in Gents' Clothing and  
Furnishing Goods, No. 1, Wing's Exchange.

C. E. & S. S. BENNETT,  
GROCERY AND PROVISION STORE  
Three doors north of Baptist Church.

N. B. MILLMAN,  
ATTORNEY AND Counsellor at Law, and  
Western Land Office.

W. J. WHITEHOUSE & CO.,  
DEALERS in Drugs, Medicines, Paints, Oils  
and Artists' Materials, Kingsley's Block.

EDWARDS, HUBBEL & Co.,  
A GENERAL assortment of Merchandise,  
for sale cheap.

B. S. BURNHAM,  
DENTIST, corner of Mechanic and Semi-  
nary street.

FORT EDWARD DRUG STORE,  
W. W. PARKE, M. D., still remains at the  
old stand.

GEO. P. CONANT & CO.,  
BLACKSMITHS and general repair shop,  
Mill street. Good satisfaction guaranteed  
in all cases.

DEFOREST & IRVING,  
MANUFACTURERS and Dealers in Furni-  
ture and Coffins of every description.—  
Two doors north of Baptist Church.

THAYER & BOLTON,  
MANUFACTURERS and Dealers in Sash,  
Doors and Blinds. Job Planning and  
Matching done to order. Near the Blast  
Furnace.

YOUNG AMERICA SALOON,  
UNTER Farmer's Bank. Hot meals at all  
hours of the day. Cigars and Clams in  
every style. Albany and Fort Edward  
Ale, Tobacco, Cigars, &c. H. H. HADLEY,  
Proprietor.

L. A. COX,  
STOVE AND MACHINERY WORKS,  
where can be found Water Wheel patterns  
of various kinds; also, Beveled and square  
Gearing patterns, comprising the largest  
assortment north of New York.

DEACON DECLARED! THE UNION  
Preserved! Having been convinced  
that the best system of "Quick Sales and  
Small Profits," is better than the old way, of  
"Large Profits and Long Credits," he  
comes to the conclusion to sell for CASH on  
READY PAY ONLY, and take this method to  
inform my old patrons and the public gen-  
erally, that I am thankful for past favors,  
and solicit a continuance of their patronage on  
the Ready Pay System.

I have just received a large and well  
selected stock of LUMBER, DRESSED SHIMS, BORDERS,  
EDGE BOARD, CEDAR PAINTS, OIL, GLASS,  
Y-RINGS, PITCH and OAKUM.

I have also added to my former supply,  
a large assortment of PAINTS and ARTISTS'  
MATERIALS, all of which will be sold at panic  
prices.

All kinds of Farm Produce taken at Cash  
Prices in exchange for goods.  
Call and see before purchasing elsewhere.  
Remember the place, near the Freder  
Bridge, Fort Edward, N. Y.

FORT EDWARD MOIT & SON  
against AND against

THE WORLD! FORT EDWARD!  
WHO keep constantly on hand a full  
and complete assortment of Canada Pine  
Lumber, dressed and undressed. Framing  
timber of any length and size required—  
Doors, Sash, Blinds, Pine Pickets, Limes,  
Cement, &c.

FLOUR! FLOUR!  
J. M. Mott & Son also keep a large  
and well selected stock of FLOUR, which they  
offer at wholesale and retail, at prices defying  
competition. Merchants, and all Flour  
Dealers, in this and surrounding towns, are  
particularly invited to call and examine our  
assortment of FLOUR before sending orders  
to Troy or Albany, as we pledge ourselves to  
supply all parties on as favorable terms (at  
large) as can be obtained at either of those  
cities.

August 22, 1862. m22:14

## Laws of New York—By Authority.

[Every law, unless a different time shall be prescribed therein, shall commence and take effect throughout the State, on and before the twentieth day after the day of its final passage, as certified by the Secretary of State. Sec. 12, title 4, chap. 7, part 4, Revised Statutes.]

### CHAPTER 477.

An act to provide for the enrollment of the militia, the organization and discipline of the national guard of the State of New York, and for the public defence.

Passed April 23, 1862—by a two-third vote.

*The People of the State of New York, represented in Senate and Assembly, do enact as follows:*

§ 223 No act in (hall be maintained against any member of a court martial, or officer or agent acting under its authority, on account of the imposition of a fine, or the execution of a sentence, or the payment of costs that may be incurred by a defendant in such suit or proceedings, and the defendant, in all cases, may plead the general issue and give the special matter in evidence, and in case the plaintiff shall be non prosequit or non-suited, or have a verdict of judgment against him, the defendant shall recover treble costs.

§ 224 When a suit or proceeding shall be commenced in any court by any person against any officer of this State for any act done by such officer in his official capacity, in the discharge of any duty under this act, or against any person acting under authority or order of any such officer, or by virtue of any warrant issued by him pursuant to law, or against any collector or receiver of taxes, the defendant may require the plaintiff in such suit to file security for the payment of the costs that may be incurred by a defendant in such suit or proceedings, and the defendant, in all cases, may plead the general issue and give the special matter in evidence, and in case the plaintiff shall be non prosequit or non-suited, or have a verdict of judgment against him, the defendant shall recover treble costs.

OF THE COLLECTION OF FINES AND PENALTIES.

§ 225 For the purpose of collecting any fines that may be imposed by any court martial authorized by this act, the president of the court shall, within thirty days after the fines have been imposed, make a list of all the persons fined, designate the company to which they respectively belong, and the sums imposed on each person as fines, and shall direct to any marshal, sheriff, or constable of any city or county, (as the case may be,) thereby commanding him to levy such fine or fines, together with the costs of the goods and chattels of such delinquent; and if any such delinquent shall be under age, and live with his father or mother, master or mistress, then to levy such fine or fines with the costs of the goods and chattels of such father or mother, master or mistress, as the case may be; no property now exempt by law shall be exempt from the payment of such fine, and in case the goods and chattels of the father or mother, master or mistress, of any delinquent under age, cannot be found, wherever to satisfy the same, then to take the body of such delinquent and convey him to the jail of the city or county wherein he shall reside.

§ 226 It shall be the duty of the jailor, to whom such delinquent shall be delivered, to keep him closely confined, without bail or mainprize, for two days, for any fine, not exceeding two dollars, and two additional days for every dollar above that sum, unless the fine, together with the costs and the jailer's fees, shall be sooner paid.

§ 227 Every such marshal, sheriff or constable, to whom any such list and warrant shall be directed and delivered, may execute the same by levying and collecting the fines or by taking the body of the delinquent in any city, town or county in this State, and shall make return thereof, within forty days from the receipt of such warrant to the officers who issued the same.

§ 228 If the marshal, sheriff or constable shall not be able to collect the fines or take the bodies within the forty days aforesaid, then the officers issuing the warrant may, at any time thereafter, within two years from the time of imposing the fines, issue a new warrant against any delinquent, or renew the former warrant, from time to time as may become necessary.

§ 229 Any warrant for the collection of fines, issued by virtue of this chapter, shall not be renewed in the same manner that executions issued by justices courts may law be renewed.

§ 230 The amount of any fines so collected shall be paid by the officers collecting the same into the county treasury, and shall form a portion of, and be credited to the regimental fund of the regiment to which the persons so fined belonged.

§ 231 In addition to the bond now required by law, to be given by the marshal, sheriff, constable or other officers, for the faithful discharge of his duties, such named officers shall execute a bond for the payment of all moneys by them collected, under the provisions of this act; and the sureties of such officers hereby authorized to collect fines and penalties, shall be liable for any official delinquency under this act, such bond to be approved by the county judge of each county.

GENERAL PROVISIONS APPLICABLE TO ALL COURTS MARTIAL AND COURTS OF INQUIRY.

§ 232 The president of every court martial, of every court of inquiry, both before and after he shall have been sworn, and also the judge advocate if required, shall issue subpoenas for all witnesses, whose attendance at such court may, in his opinion, be necessary in behalf of the people of this State, and shall on application for all witnesses in behalf of any officer charged or accused, or persons returned as delinquent; and may direct the commandant of any company, to cause such subpoena to be served on any witness or member of his company.

§ 233 The president of each court martial or of the court of inquiry shall have power to administer the usual oath to witnesses, and shall have the same power to compel attending witnesses to be sworn and testify, and to preserve order as courts of common law jurisdiction; and all the sheriffs, jailors and constables who hereby required to execute any process issued by such court or president for

that purpose.

§ 234 Every witness not appearing in obedience to such subpoena when duly served personally with a copy of the same, and not having a sufficient or reasonable excuse, shall forfeit to the people of this State, a sum not less than ten nor more than fifty dollars; and the president of such court shall, from time to time, report to the district attorney the names of all such delinquent witnesses, together with the names and residences of the persons serving such subpoena, together with the names of the witnesses who failed to enable him to prosecute, for such forfeitures.

§ 235 Whenever it shall appear to the satisfaction of any court martial or court of inquiry, by proof made before such court, that any person duly subpoenaed to appear as a witness before such court shall have refused or neglected to do so, just cause to attend as such witness in conformity to such subpoena, and the party in whose behalf such witness shall have been subpoenaed shall make oath that the testimony of such witness is material, such court or the president thereof, shall have power to issue an attachment to compel the attendance of such witness.

§ 236 Every such attachment shall be executed in the same manner as a warrant, and by any officer authorized to execute warrants, and the fees of the officers serving the same, shall be paid by the person against whom the same shall have been issued, unless he shall show reasonable cause to the satisfaction of such court for his omission to attend; such costs shall be ascertained by the court, who may thereupon issue an execution for the collection against the person liable to pay the same, and which may be collected as other executions are collected and by any officer authorized to collect executions issued from courts of justice.

§ 237 Any person or persons who shall be guilty of disorderly, contemptuous or insolent behavior in, or use any in-sulting or contemptuous or indecorous language or expressions to or before any court martial or court of inquiry, or any member of either of such courts, in open court, intending to interrupt the proceedings or impair the respect of the authority of such courts, may be committed to the jail of the county in which said courts shall sit, by warrant under the hand and seal of the president of such court.

§ 238 Such warrant shall be directed to the sheriff, or any other of the constables or marshals of any such county, or any officer attending the court, and shall forth with particular circumstances of the offense, ordered to be committed, and shall command the officer to whom it is directed, to take the body of such person and commit him to the jail of the county there to remain without bail or mainprize, in close confinement, for a time to be limited, not exceeding three days and until the officers fees for committing him to jail shall be paid.

§ 239 Such sheriff shall receive the body of any person who shall be brought to him by virtue of such warrant, and keep him until the expiration of the time mentioned in the warrant, and until the officer's and jailer's fees shall be paid, or until the officer shall be discharged by due course of law, and sooner than by any other means.

§ 240 In the absence of the president of any court martial, the senior officer present in his office, shall be deemed to be the president, and shall have all the powers of the president, when on duty in full uniform.

§ 241 The president of any court martial or any court of inquiry may appoint by warrant, under his hand and seal, one or more marshals.

§ 242 The marshals so appointed may not only execute the usual duties of such marshals, but may also execute all process lawfully issued by such president or court, and perform all acts and duties in this act imposed on and authorized to be performed by any sheriff, marshal or constable.

§ 243 Whenever the sentence of any court martial shall be pronounced, the officer hearing the appeal shall require the court, or the president thereof, to furnish him forthwith with a statement of the case and of the evidence touching the same; which statement and evidence shall, in case of an appeal to the commanding officer of the brigade, be forthwith, on notice of such appeal transmitted to him.

§ 244 Such statement being furnished, the officer hearing the appeal, may hear such further evidence by affidavit or otherwise, as the nature of the case may require, and for that purpose he shall have power to administer the usual oath to witnesses produced before him, except by those who are trials may have been held on charges preferred.

§ 245 The last two sections shall extend to appeals made from the order of an officer approving the sentence of a court martial.

§ 246 If any officer having a warrant for the collection of any fine shall not be able to collect the same within the time specified therein, then the officers issuing the warrant may, at any time thereafter within two years from the time of imposing the fines, issue a new warrant against any delinquent, or renew the former warrant from time to time, as may become necessary.

§ 247 Any warrant for the collection of fines, issued by virtue of this act, shall not be renewed in the same manner that executions, issued from justices courts may by law be renewed.

§ 248 It shall be the duty of the respective presidents of courts martial to prosecute in the name of the people of the State of New York at marshal or constable, sheriff and other sureties, who shall in any person for neglect in the execution of or return of any warrant, or in paying over moneys collected by him.

§ 249 Whenever any court martial shall consist of more than one, he shall be deemed the president thereof within the meaning of this act.

§ 250 The chiefs of the staff in each division, regiment or battalion, shall on or before the first day of November in each year, report to the commandants of division and brigade respectively, the names of all commissioned officers absent from any parade, encampment or drill, on the day above required by law to attend. Within ten days

after the receipt of such returns, the respective commandants of division or brigade, and in the case may be shall order a court martial to consist of three commissioned officers, with authority to make to pass upon such delinquency. It shall not be necessary to cause the arrest of such absentee, nor to serve any charges, unless in the discretion of the officer ordering the court, it may be proper; but the delinquency may be fixed pursuant to the provisions of this act, provided notice of the return and of the time appointed for holding the court martial shall have been delivered to him or left at his usual place of abode at least ten days before the assembling of said court.

§ 251 The court may excuse any delinquent for good cause shown.

§ 252 Any fine for offences against the by-laws of any company of the national guard or of regimental bands, not exceeding the sum of ten dollars, a certified copy of the proceedings relating to the infliction of which has been returned to any regimental court martial or court of appeals, may be enforced by such court in the manner herein before provided, due notice being given to the delinquent and to his superior, a certified copy of said by-laws being filed with the commandant of the regiment.

§ 253 Whenever any portion of the military forces of this State shall be ordered to assemble for purposes of military instruction under the authority of the commander-in-chief, or when any part of the State forces shall be ordered to assemble under his authority in time of war, insurrection, invasion, or public danger, the rules and articles of war, and general regulations for the government of the army of the United States, so far as they are applicable, and with such modifications as the commander-in-chief may prescribe, shall be considered in force and regarded as part of this act, during the continuance of such instruction and to the close of such time of war, insurrection, invasion, or public danger; but no punishment under such rules and articles shall extend to the taking of life shall in any case be inflicted except in time of actual war, invasion or insurrection, as declared by proclamation of the governor to exist.

OF THE DUTIES OF CERTAIN STATE OFFICERS AND OF VARIOUS MATTERS CONNECTED WITH THEIR VARIOUS RESPECTIVE DEPARTMENTS OF THE ADJUTANT GENERAL.

§ 254 The adjutant general shall keep a roster of all the officers of the military forces of this State, containing the date of their commissions, their rank, the company to which they belong, the division, brigade and regiment of such corps, and the places of their residences, as accurately as can be ascertained, which roster shall be revised and corrected every year.

§ 255 He shall also enter into a book, to be kept for that purpose, a local description of the several companies, regiments, brigades and division districts.

§ 256 It shall be the duty of the commandants of divisions and brigades to furnish the adjutant general with a roster of their officers, containing the facts requisite to enable him to comply with the provisions of this act.

§ 257 The books required by the adjutant general to comply with this act, shall be furnished him at the expense of this State, and shall go to his successor in office.

§ 258 The seal now used in the office of the adjutant general shall continue to be the seal of this office, and shall from time to time be renewed by his successor in office, and all copies of records or papers in his office, duly recorded and authenticated under his said seal, shall be evidence in all cases in like manner as if the originals were produced.

§ 259 It shall be the duty of the adjutant general to cause to be made up, in proper form, from time to time, and to distribute on copy to such commissioned officers and to such town clerk, supervisor, clerk and county treasurer in this State, and to such other officers and persons as may be necessary, blank forms and orders to be transmitted to the several companies, regiments, brigades and division districts.

§ 260 The adjutant general is hereby authorized to appoint an assistant, who shall be the information of the commander-in-chief, and shall hold office during the pleasure of the adjutant general. In the absence of the adjutant general from the city of Albany, or in case of his inability to perform his duties his assistant shall have full power to perform all the duties appertaining to the office of adjutant general.

§ 261 The commissary general shall keep in good repair the arsenals and magazines of the State, and attend to the preservation and safe keeping of arms and repairing of the ordnance arms accoutrements, ammunition, munitions of war, and implements of every description, the property of this State; and he shall at all times have the control and disposition of the same for that purpose.

§ 262 He shall, under the direction of the commander-in-chief, dispose to the best advantage, of all damaged powder, and of all ordnance, arms, ammunition, accoutrements, tools, implements, and warlike stores of every kind whatsoever that shall be deemed unsuitable for the use of the State.

§ 263 He shall from time to time render a statement and true account of all sales made by him with all convenient speed to the secretary and shall pay the proceeds of such sale into the treasury of the State for military purposes or expend the same in the purchase of suitable arms, ammunition, camp or other equipment, as the commander-in-chief may direct.

§ 264 Whenever the commanding officer of a brigade shall certify that a stand of colors, or any drums, fife or bugles, are necessary for any company, battalion or regiment in his brigade, the commissary general, with the approval of the commander-in-chief, shall furnish such company, battalion or regiment with a stand of colors, or drums, fife, and bugles, at the ex-

penditure of the State.

§ 265 The commissary general shall issue the proper allowances of powder and balls to artillery companies for practice; and the several commandants of artillery companies shall annually report to the commissary general the situation and state of the pieces of ordnance arms, implements, and accoutrements the property of the State, entrusted to their charge respectively.

§ 266 The commissary general shall issue all ammunition suited to the several arms of the service, upon the requisition of any commandant of brigade, regiment, or battalion, and all on a like requisition, replace such articles and implements for ordnance as may be by any use rendered unfit for service.

§ 267 The commissary general shall report annually to the commander-in-chief, whose duty it shall be to transmit the same to the legislature, a true and particular statement, showing the actual situation and disposition of all the ordnance, arms, ammunition and other munitions of war property or things, which in any way appertain to or respect the department confided to his keeping.

§ 268 He shall keep a just and true account of all expenses necessarily incurred in and about his department, which shall include all expense for transportation and from the arsenals, all ordnance, arms, ammunition and camp equipment and deliver the same to the comptroller, who shall thereupon examine and audit the same, and shall draw his warrant on the treasurer for such sum as he shall audit and certify to be due.

§ 269 The commissary general shall be authorized to appoint an assistant, with the rank of colonel, who shall be commissioned by the commander-in-chief, and hold his office during the pleasure of the commissary general, and shall perform the duties now required by law to be performed by the military storekeeper at the New York arsenal, and shall be compensated in the same manner as such military storekeeper has been compensated in the absence of the commissary general from the city of New York, or in case of his inability to perform his duties, his assistant shall have full power to perform all the duties appertaining to the office of commissary general; but nothing in this section shall be so construed as to give any validity to the acts of such assistant in case of the disapproval of the commissary general.

OF THE INSPECTOR GENERAL.

§ 271 It shall be the duty of the inspector general to visit, at least once in every two years, each regimental district in the State. He shall critically inspect as often as he may deem necessary, branches connected with the military service, including arsenals, arsenal and military storehouses; and he shall also attend to the organization of the militia, and report to general headquarters the improvement in discipline and tactical instruction of the uniformed forces.

§ 272 Commandants of regiments and companies shall furnish to the inspector general such information as he may require as to the number and kind of arms, equipments and military property of the State, issued to their respective regiments and companies; and at the conclusion of the inspection of any arsenal, arsenal or military storehouse, if he find the same in any way deficient, he shall report thereon, and any part thereof, missing, injured, or for use, or deficient in any way, he shall forth with report the facts, in respect thereto, to the commander-in-chief.

§ 273 It shall be his duty after the first day of November in each year, to inspect the tents and camp equipage belonging to the several companies, regiments, brigades, and divisions, and to report thereon to the commander-in-chief on or before the first day of January thereafter.

§ 274 In his annual report he shall state what general and field officers have been made and what degree of improvement has been attained by both officers and men, and whether the general regulations have been observed, together with such suggestions as he may see fit to make.

§ 275 To the inspector general will be referred, by order of the commander-in-chief, such matters as require an examination at a distance from the general headquarters, for the information of the commander-in-chief; and it shall be the duty of the inspector general, upon such reference, to report upon the qualifications of persons named to the commander-in-chief for appointments to military office, and also upon the possession of the necessary requisites, by the applicants for the organization of companies.

§ 276 The division and brigade inspectors whenever required by the inspector general shall report to him the condition of their respective divisions and brigades, and shall also, upon his request, report to him upon any matter properly belonging to his department, which may require examination within their respective division and brigade districts.

§ 277 The inspector general shall visit the several encampments which shall be ordered by the commander-in-chief, and to ascertain whether the troops have been properly instructed in the exercise and evolutions of the drill; he will cause them to be exercised in the manoeuvres required to be practised during the year, as prescribed by the regulations; and he will give his instructions as to the exercises, to the commanding officer, who will issue all necessary orders and directions to the troops for their execution.

§ 278 The inspector shall, at least once in every two years, examine the books of practice of the several companies of each regiment, and the accounts filed with the secretary of such board during the two years previous, or since the last inspection made by the inspector general, and he shall carefully compare the book proceedings with the actual proceedings, and shall certify to the commander-in-chief whether the proceedings of the board of officers are properly and regularly entered, and whether the warrants are in due form; and whether any military funds have been drawn from the county treasury for im-

proper purposes, or by persons not entitled thereto.

§ 279 The inspector general is hereby authorized to appoint an assistant who shall have the rank of colonel, and be commissioned by the commander-in-chief, and who shall hold such office, during the pleasure of the inspector general, and receive the same compensation as the assistant adjutant general. In the absence of the inspector general from the city of Albany, or in case of his inability to perform his duties his assistant shall have full power to perform all duties appertaining to the office of the inspector general. But nothing in this section shall be so construed as to give any validity to the act of any assistant in case of the disapproval of the inspector general.

OF THE JUDGE ADVOCATE GENERAL.

§ 280 The judge advocate general, as chief of his department, is charged with the supervision, care and management of all things relating to the administration of justice among the military forces of this State. He shall diligently scrutinize and examine the proceedings of all courts martial where an appeal has been taken, and report thereon for the information of the commander-in-chief; he shall also in like manner report in all cases of contested elections where an appeal has been taken. Under the orders of the commander-in-chief, the judge advocate general shall act as judge advocate at any court martial where the public interest shall require his attendance.

§ 281 The judge advocate general is the legal adviser of the several staff departments upon all legal questions which may arise thereon, and to him may be referred for supervision all contracts, agreements, or other instruments to be drawn or executed in the course of the business of such department.

§ 282 The officers of the judge advocate general's department, when not engaged in the special duties of the same, may be detailed for such other staff duties as the commandants of their respective brigades and divisions shall direct.

OF INVASION, INSURRECTION, BREACHES OF THE PEACE, AND DRAFTS OF THE MILITIA.

Of invasion and insurrection.

§ 283 In cases of invasion or insurrection, or imminent danger thereof, the commander-in-chief may, by proclamation or otherwise, order and direct the commandants of such company districts as he shall designate to accept sufficient volunteers, should the same offer, to raise said company and maintain the same at the maximum number, provided by law, and if sufficient volunteers should not offer, then a sufficient number shall be drafted from the reserve militia of said district, in the manner hereinafter provided, in accordance therewith to be enrolled as national guards in said company, and shall be liable to duty in case the military forces of the State should be called into service.

§ 284 The commander-in-chief shall have power, in case of invasion, insurrection, or imminent danger thereof, to order into the service of the State such number and description of companies or regiments of the national guard, or of other militia of the State as he shall deem proper, and under the command of such officers as he shall direct, and in such cases the forces so called into service shall receive the same pay and rations as troops in the service of the United States. And all the acts, proclamations and orders of the governor of this State since the sixteenth day of April, eighteen hundred and sixty-one, relating to the calling out of the militia or volunteers from this State for the service of the United States are hereby approved, and in all respects legal, and made valid to the same intent, and with the same effect as if they had been issued and done with the previous express authority and direction of the legislature of this State, and all commissions issued or hereafter to be issued to the officers of such volunteer forces by the governor of this State, in accordance with the act of congress in such cases made and provided, are hereby confirmed.

§ 285 In case of any invasion, or imminent danger thereof, within the limits of any division, brigade, regiment, or battalion, it shall be the duty of the commandant of such division, brigade, regiment, or battalion to station, for the defence of the State, the militia or any part thereof, under his command, and immediately report what he has done to the commander-in-chief, through the adjutant general.

§ 286 It shall also be his duty to give immediate notice of such invasion or imminent circumstances attending the same to his immediate commanding officer, by whom such information shall be transmitted with the utmost despatch to the commander-in-chief.

§ 287 The commander of every regiment or battalion, within the limits of which an invasion or insurrection shall happen, shall immediately assume his regiment or battalion under arms, and with the utmost expedition shall transmit information of such insurrection to the commandant of his brigade and to the commander-in-chief.

§ 288 He shall also give immediate notice of such invasion or imminent danger of such insurrection to any judge of the county in which it shall happen, and shall take such measures for its suppression, as to such judge shall appear most proper and effectual.

§ 289 If the said judge shall deem a greater force necessary to quell the insurrection, he shall require such additional force as he shall deem necessary from the commandant of the division, or of any brigade therein, whose duty it shall be to obey his requisition.

§ 290 Every person who, while in the actual service of this State, shall be wounded or disabled in opposing or suppressing any invasion or insurrection, shall be taken care of and provided for at the expense of the State.

OF BIRTH, TUMULTS, BREACHES OF THE PEACE, RESISTANCE TO PROCESS.

§ 291 In case of any breach of the peace, tumult, riot, or resistance to process of this State, the president of the militia of the same, it shall be the duty of the commandant of the division, or of any brigade therein, or the mayor of any city, to call for aid from any division, brigade, regiment, battalion, or company; and it shall be the duty of the commanding officer of such division, brigade, regiment, battalion or company to furnish such aid, and to give to the aid of the militia authorities, the military force,