

as the case may require, in any sum not exceeding one hundred dollars nor less than five dollars; all field and staff officers shall be tried by a division or a general court martial; the proceedings of every court martial in case of cashiering shall be transmitted to the commander in chief for his approbation; and if any non-commissioned officer, private or musician shall at the time of parading 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, he shall be dismissed and put under guard by order of the commanding officer present, until the company is dismissed, and shall be fined in the discretion of a company court martial in any sum not exceeding ten dollars, nor less than one dollar; *Provided*, that if on field days 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 order among his fellow soldiers, he shall be tried by a court martial chosen by the commanding officer, consisting of three commissioned officers attached to the regiment, extra battalion or squadron to which such offender shall belong, and shall be fined at the discretion of said court, in a sum not exceeding twenty-five dollars nor less than one dollar.

*Article 2.* If any commanding officer of any regiment, extra battalion or squadron, shall neglect or refuse to give orders for assembling his regiment, battalion or squadron at the times which are or may be appointed under this article for drill or inspection, or for actual service in case of an invasion, or threatened invasion of the State, or insurrection, or threatened insurrection therein, or opposition to the laws of the State, he shall be cashiered or punished by fine not exceeding five hundred dollars, at the discretion of a brigade court martial; and if the commanding officer of any company shall on any occasion neglect or refuse to give orders for assembling the company to which he belongs, or any part thereof, at the direction of the commanding officer of the regiment, extra battalion or squadron to which such company belongs, he shall be cashiered or punished by a fine not exceeding one hundred dollars, at the discretion of a regimental court martial, and a non-commissioned officer offending in such case shall be fined at the discretion of a company court martial in any sum not exceeding twenty dollars.