

whole force whenever either of said division or any part of either of them shall be on parade or service as required by law. No commissioned officer, non-commissioned officer, private or musician so on parade or service shall be liable to be summoned and detained by the sheriff or any other civil functionary as one of the posse comitatus.

769\*. The officer commanding the force on service shall communicate immediately to the Governor and commander in chief full information respecting said insurrection or opposition to the laws, the fact of his being called into service as aforesaid, and the measures adopted by him to suppress or prevent the same, and the said commanding officer is hereby required and authorized to use and employ to the best advantage the force under his command until the orders of the commander in chief be known, unless sooner dismissed by the Board of Police in writing under their hands and official seal, setting forth that the services of the force so called out by that board are no longer required.

770\*. If the said commanding officers or either of them shall refuse to give such information as is required of them by this and the two last preceding sections, or shall refuse or neglect to order out the volunteers or district militia under their respective commands, or such part thereof as they may be required to order out, or when so called out shall refuse or neglect to discharge the duties required of them in pursuance of this and the two last preceding sections, they shall be liable to be cashiered and also fined not exceeding one thousand dollars, in the discretion of such court martial as the case may require; and in case any other officer of either of said divisions shall refuse or neglect to obey the orders of his superior officer acting under this or the two last preceding sections, such other officer shall be liable to be cashiered and also fined: if a brigadier general or division staff officer, not exceeding eight hundred dollars; if a regimental field officer or brigade staff officer, not exceeding six hundred dollars; if the commanding officer of a company or regimental staff officer, not exceeding four hundred dollars; and if other company commissioned officers, not exceeding two hundred dollars, in the discretion of such court martial as the case may require; and if any non-commissioned officer, private or musician shall refuse or neglect to obey his commanding officer acting under this and the two last preceding sections, he shall be fined not exceeding the sum of one hundred and fifty dollars, said penalty to be imposed by such courts martial as the case