

Improper conduct of officers on parade, how to be punished. Punishment of non-commissioned officers, privates, &c.

Proviso

Penalty on officers neglecting to give orders for assembling regiments, battalions, &c.

Penalty on officers commanding companies neglecting to furnish list of persons notified to

Art. 1st. If any field or other commissioned officer, at any regimental, battalion or company meeting, or on any other occasion, when the regiment, battalion or company to which he may belong, or in which he holds a command, is paraded, shall misbehave, demean himself, or appear in an unofficer like manner, he shall, for such offence, be cashiered or punished by fine, at the discretion of a brigade or regimental court-martial, (as the case may require,) in any sum not exceeding one hundred dollars, nor less than five dollars; that for offences against the militia law of this state, all company commissioned officers shall be tried by a regimental court-martial, but in cases of cashiering they may have an appeal to a brigade court-martial; all field and staff officers shall be tried by a brigade court-martial, and all general officers shall be tried by a division or a general court-martial; 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 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 may be disarmed and put under guard by order of the commanding officer present, until the company is dismissed, and shall be fined at the discretion of the company court-martial in any sum not exceeding ten dollars, nor less than fifty cents; *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 orders 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 or extra battalion to which such offender or offenders belong, and he or they shall be fined at the discretion of said court, in a sum not exceeding twenty-five dollars, nor less than one dollar.

Art. 2d. If the commanding officer of any regiment, battalion or extra battalion, shall neglect or refuse to give orders for assembling his regiment, battalion or extra battalion, at the times which may be appointed under this act, at the direction of the inspector of the brigade to which he belongs, when the inspector is thereto commanded by his commanding officer, or in case of an invasion or threatened invasion, or insurrection or threatened insurrection of the state, therein 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 such 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, battalion or extra battalion 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.

Art. 3d. If any captain or commanding officer of a company shall refuse or neglect to make a list of the persons notified to perform any tour of duty, and send or convey the same to the com-