

41. AND BE IT ENACTED, That the commanding officer of each company shall appoint and dismiss, at his pleasure, his non-commissioned officers, and if any person so appointed, having accepted of such appointment, shall neglect to do the duties thereof, or refuse or neglect to obey the orders of his superior officers, he shall forfeit and pay a sum not less than one dollar nor exceeding ten dollars, in the discretion of such court martial as the case may require.

Non-commissioned officers to be appointed

42. AND BE IT ENACTED, That if any field or other commissioned officer shall be guilty of any breach of orders, or shall at any brigade, regimental, extra battalion, battalion, or company meeting, or on any other occasion when the brigade, regiment, extra battalion, battalion or company, to which he may belong, or in or over which he holds a command, is paraded, or on duty, as prescribed 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 disgraced, 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 disgraced 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.

Punishment for officers misbehaving, &c.

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 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,

By standers may be punished for offending, &c.