

exceed ten days. The fine so collected shall be paid by the said justice to the finance officer of the organization of which the offender was a member, to be applied by him to the military funds of the organization.

1922, ch. 490, sec. 41.

43. No action or proceeding shall be prosecuted or maintained against a member of a military court or officer or person acting under its authority, or reviewing its proceedings on account of the approval or imposition or execution of any sentence, or the imposition or collection of a fine or penalty, or the execution of any warrant, writ, execution, process or mandate of a military court.

1922, ch. 490, sec. 42.

44. The force organized as prescribed in this Article shall be considered in the actual service of the State, and the members thereof shall be subject to all military laws, orders and regulations prescribed for the government thereof, and all military offenses shall be considered, and they are hereby declared to be offenses against the general police regulations of the State, and shall be punishable by fine or imprisonment as provided in this Article.

Except when on duty in time of war, insurrection, invasion, public danger or to aid the civil authorities on account of any breach of the peace, tumult, riot, resistance to power of the State or imminent danger thereof, and also in all cases not otherwise covered, commissioned officers may be tried by court-martial for the following offenses:

1. Non-attendance without excuse at any drill, parade, encampment, meeting for instruction or other duty ordered by competent authority.
2. Unmilitary or unofficer-like conduct.
3. Drunkenness on duty.
4. Neglect of duty.
5. Disobedience of orders or any act contrary to the provisions of the Militia Law of the State or to the orders and regulations prescribed for the government of the militia.
6. Refusing to grant a discharge to an enlisted man when entitled to same.
7. Oppression or injury of any under his command.
8. Conspiracy or attempt to break, resist or evade the laws or lawful orders given to a person or advising any person to do so.
9. Insult or disrespect to a superior officer in the line of military duty.
10. Presuming to exercise his command while under arrest or suspension.
11. Neglect or refusal when commanding officer to order out the troops under his command when required by law or lawfully ordered by his superior officer.
12. Neglect or refusal to make a draft or detachment when lawfully ordered to do so.
13. Receiving any fee or gratuity for any certificate.