

guard by draft, in case of such actual service, and to make all needful rules and regulations in the premises.

Volunteering
or commuting.

5. Every person liable to militia duty under the constitution of this state, is hereby required either to join the national guard as a volunteer, or to pay to the state the sum of two dollars each year, the payment of which sum shall exempt him for one year from the date of such payment, from militia duty, subject, however, to a call for the reserve militia rendered necessary as aforesaid, and subject also to his liability to draft as aforesaid to fill the ranks of the national guard.

Volunteer
companies.

6. Volunteer companies, the members of which reside in different military districts will, with the approval of the inspector-general, be recognized as forming part of said national guard, and the several districts to which they belong will be credited with the number of men respectively so furnished.

May adopt
by-laws.

7. Every organized company of the national guard may, by a vote of a majority of its members, adopt by-laws which, when approved by the commanding officer of the regiment or independent company shall be binding upon all members of such company; *provided*, that nothing therein shall be inconsistent with the constitution of the state or of the United States, or the general militia law thereof, whenever any fine or penalty for absence from drill or other neglect of duty, shall be imposed by virtue of such by-laws, the same may be collected by execution, in the same manner as judgments rendered by a justice of the peace, for the use of said company upon a statement certified by the commanding officer thereof, showing how, when and for what amount said fine or penalty was assessed.

PROVISO

Fines and
Penalties

Commander-in-
chief to pre-
scribe rules for
distribution of
arms, &c.

8. The commander-in-chief shall prescribe such rules, orders and regulations for the distribution of arms, accoutrements, ammunition and military stores to the militia, as he may deem proper, as also for the safe keeping and return of all such property.