

to forfeiture of pay and allowances. The proceedings of such court shall be informal, and the minutes thereof shall be the same as prescribed for summary courts of the Army of the United States.

39. All courts-martial of the organized militia, not in the service of the United States, including summary courts, shall have power to sentence to confinement in lieu of fines authorized to be imposed; provided, that such sentences of confinement shall not exceed one day for each dollar of fine authorized.

No sentence of dismissal from the service or dishonorable discharge, imposed by a court-martial, not in the service of the United States, shall be executed until approved by the Governor.

In the organized militia, not in the service of the United States, presidents of courts-martial and summary court officers shall have power to issue warrants to arrest accused persons and to bring them before the court for trial whenever such persons shall have disobeyed an order in writing from the convening authority to appear before such court, a copy of the charge or charges having been delivered to the accused with such order, and to issue subpoenas and subpoenas duces tecum, and to enforce by attachment attendance of witnesses and the production of books and papers, and to sentence for a refusal to be sworn or to answer as provided in actions before civil courts.

40. Upon the finding of any such court-martial imposing any of said fines, and upon the approval of the findings by the officer appointing the court, the fine or fines so imposed shall be and become at once payable, and in case any officer or enlisted man, upon whom a fine has been imposed in accordance with the provisions of this section, shall fail, refuse or neglect to pay the fine so imposed upon him within ten days after he shall have been notified thereof, the said fine may be collected in the name of the State before any justice of the peace having criminal jurisdiction in the county or city where the delinquent resides, in the same manner as other fines or offenses against the general police regulations of the State are collected, upon the certificate in writing of the proper commanding officer, setting forth the findings of the court-martial and his approval thereof, upon the production of the said certificate before the said justice of the peace, and upon the arrest and