

1. Every commissioned officer, for disobedience of orders, neglect of duty, un-officerlike conduct, or disrespect to a superior officer, or for neglect to furnish himself with an uniform and equipments within twelve months after receiving his commission, shall be arrested and brought to trial before a court martial, who may on conviction, sentence him to be cashiered, incapacitated from holding any military commission, and be fined to any amount not exceeding one hundred dollars, or may sentence him to any part of such penalties, or to be reprimanded, in their discretion, but no penalty shall be inflicted on any officers for appearing on parade without an espontoon.

2. Every commissioned officer of a company, and every non-commissioned officer, musician and private, shall on due conviction, be subject for the following offences, to the fines thereto annexed:

1st, Every non-commissioned officer, musician or private, for non-appearance when duly warned or summoned to a company parade, a fine of one dollar; at every regimental or battalion parade or rendezvous of officers, not less than one, nor more than two dollars; and at a place of rendezvous when called into actual service, a sum not exceeding two months, nor less than one month's pay.

2d, Every non-commissioned officer, musician and private, for neglecting or refusing to obey the orders of his superior officers, on any day of parade, or to perform such military duty or exercise as may be required, or departing from his colors, post or guard, or leaving his place or ranks, without permission, a fine not more than ten, nor less than two dollars.

3d, For neglecting or refusing to obey any order or warrant to him lawfully given or directed, or to make a proper return thereof, if such return be necessary, or making a false return, or neglecting or refusing, when required, to summon a delinquent before a court martial, or duly to return such summons, a fine not more than twenty, nor less than five dollars.

3. Every non-commissioned officer, for neglecting or refusing to act as such, when duly appointed, shall be sentenced to pay a fine not exceeding ten dollars; and every officer for neglect of duty, or disorderly or unofficerlike conduct, in addition to other penalties, may be reduced to the rank by the commandant of the company.

4. Every non-commissioned officer, musician or private, who shall unlawfully discharge any fire arms, whilst on parade, shall be fined not less than one, nor more than twenty dollars.

5. Every non-commissioned officer and private, appearing without being armed and equipped as the law directs, at any parade or rendezvous, shall be sentenced to pay the following fines, namely: For want of a sufficient sword and belt, if belonging to the artillery or light artillery, and for want of a sufficient musket with a steel rod, or rifle, if belonging to a company of light infantry, grenadiers, riflemen or infantry, one dollar; for want of a sufficient bayonet and belt, fifty cents; for want of a pouch with a box therein, sufficient to contain twenty-four cartridges suited to the bore of his musket, twenty-five cents; and whenever ordered by the commander in chief or the commandant of the division, brigade, regiment or extra

battalion, so to be equipped as on parade; for want of two spare flints and a knapsack, twenty-four cartridges, shot pouch, powder horn, twenty balls, and a quarter of a pound of powder, twenty-five cents each; but the whole number of spare flints, cartridges and balls, shall be considered each as only one deficiency; *provided*, that no person be fined for not appearing on parade with a gun, who does not own one.

6. The penalties imposed for want of a bayonet, belt, and cartridge box, shall not apply to any non-commissioned officer or private, armed with a rifle and having a powder horn and pouch.

7. Each non-commissioned officer and private, in the cavalry, shall be sentenced to pay, as fines for want of a sufficient horse, five dollars; for want of a sufficient sabre, two dollars; for want of sufficient saddle, bridle, breast plate, valise, or cartridge box, fifty cents each; for want of a sufficient crupper and mail pillion, twenty-five cents.

8. The court martial by which any delinquent is tried, may excuse such delinquent, if it shall be made satisfactorily to appear to the court, that he has a reasonable excuse for such delinquency.

9. The commandant of each company, except cavalry, at every company parade, and immediately after the roll call, shall read, or cause to be read, in the hearing of his company, the foregoing section of this article, from the third to the seventh inclusive.

10. No action shall be maintained against any member of a court martial, or officer, or agent acting under his authority, on account of the imposition of a fine or the execution of a sentence, on a person not liable to do military duty, if such person shall have been returned as a delinquent, and duly summoned, and shall have neglected to show his exemption before such court.

## ARTICLE XII.

### *Of the collection and application of penalties, fines, and commutation money.*

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| <p>1 All fines to be reported to officer ordering court.</p> <p>2 Collection of fines enforced by levying upon goods, &amp;c. of delinquent.</p> <p>3 Officer to whom list of delinquents delivered, to levy the fine.</p> <p>4 If unable to do either within the time limited, a new warrant may be issued by the president.</p> <p>5 Warrants may be renewed like executions from justices' courts.</p> <p>6 Moneys arising from regimental or battalion courts-martial, to be paid to president of court.</p> <p>7 President after deducting costs, &amp;c. to pay surplus to paymaster, &amp;c.</p> <p>8 He shall, when requested, furnish to officer ordering court, statement of moneys received for fines.</p> | <p>9 Liable to be cashiered for non-compliance with such request.</p> <p>10 Presidents to prosecute officers for neglect in execution or return of warrant.</p> <p>11 Moneys collected for such penalties, how applied.</p> <p>12 Moneys received by paymaster of regiment, and battalions, how applied.</p> <p>13 They shall keep an account of moneys received and expended by them.</p> <p>14 Commandants of regiments, &amp;c. to examine and adjust accounts of paymasters.</p> <p>15 If paymasters neglect to pay moneys, commandant of regiment to sue for same.</p> <p>16 Officers to whom moneys are directed to be paid, to sue officers from whom same are due.</p> <p>17 Officers suing may retain reasonable expen-</p> |
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