

a sum of not less than two or more than ten dollars ; and the liquor may be spilled on the ground by any commissioned or non-commissioned office.

38. Any man using mutinous or insulting language or gestures to any of his superior officers on parade or duty, or interrupting any duty or drill, by blasphemous or obscene expressions, shall be liable to be fined in a sum not less than three nor more than twenty dollars, to be collected as herein-after provided ; and such person may be placed in confinement and committed to jail, as prescribed in section 34, by the officer in command, for a period of not more than ten days.

39. Any man who, upon three days' notice, shall not attend any company or battalion parade, for muster, enrollment, or drill, for the first day shall pay two dollars ; for the second day, three dollars, and for every subsequent day within the year, four dollars ; and every man refusing to perform the duty required of him, or falling out without the permission of the senior officer on parade, shall be liable to a penalty of say not less than one nor more than four dollars, and should he quit the parade without leave he shall be liable to both penalties ; and any man upon whom a fine has been imposed, and in whose case it has been found necessary to collect such fine by legal process, shall be liable to make up duty or drill under the same penalties as if he had not been absent and fined or punished—provided that this section shall not extend to those who have paid fines previous to the issuing of the warrant for collection.

OF MUSTERS, BOARDS OF APPEAL, EXEMPTIONS, ETC.

40. The colonel or commanding officer shall form Boards of Officers to hear appeals from fines for not attending at muster or duty, to consist of four officers of the regiment, of whom two at least shall not be of lower grade than a captain—three of whom shall form a quorum, and shall, by regimental order, appoint a day for the meeting of said board, not to be longer than one hundred and twenty days after the conclusion of training or muster, and each and every commander of companies shall have six days' notice thereof, in order that he may have time to serve absentees with three days' notice. The board of appeal may adjourn from day to day, or for such time as they may find necessary, according to the decision of the president ; and should any member of said board, as originally constituted, be prevented by illness or otherwise from attending said board, the colonel or commanding officer may appoint an officer in his place, said absentee, however, satisfying his commanding officer as to the cause of his non-attendance, or otherwise to be held liable to the penalties imposed by section 34 of this Act.

41. The captain shall cause every person fined for non-attendance to be notified, either personally or by writing left at his place of business, or last place of abode, that at a certain time, the same not to be less than three days after such notice, and at a place therein to be mentioned, a board of officers will hear appeals.