

Discipline than at other times might be Expedient. Be it therefore Enacted by the Authority aforesaid That if any Officer or Private Man of the Militia of this Province, in the Time of Actual Service within this Province in the time of Invasion, Rebellion, or Insurrection shall wittingly and willingly excite Cause or Join in any Mutiny or Sedition in any Company Troop Regiment Party Guard or Detachment of the Militia of this Province or shall shamefully leave desert or fly from his Station or Post without the Order or Direction of his Proper Officer or other good Sufficient reasonable Cause, or shall wittingly hold Correspondance with any Rebel or Enemy or give any Rebel or Enemy Advice or Intelligence by Letter, Message, Signs or Tokens in any manner or way whatsoever, the Person or Persons so Offending being thereof Convicted in due form of Law shall and are hereby declared felons and shall Suffer Death as in Cases of felony without Bennefit of Clergy.

L. H. J.
Liber No. 48
May 22

And Be it further Enacted that if any Person in the Time aforesaid Shall Strike or Use any Violence to his Superior Officer or shall wilfully refuse to obey his Just Order, Such Person So Offending shall Suffer Such Punishment by fine or Imprisonment (the Said fine not to exceed the Sum of five Pounds Current Money and such Imprisonment not to exceed the Space of Seven Days) as shall be Adjudged by a Court Martial for that purpose to be constituted and appointed by the Commission of the Governor or Commander in Chief for the time being under the Seal of this Province out of the County wherein the Offender shall reside not under the Degree of a Captain, the Said Court Martial to consist of the Number of twelve and no more besides the President, and Such Court shall have full Power and Authority to Administer an Oath to every Witness to Discover the Truth in order to the Examination and Tryal of any of the Offences determinable before such Court, and the Sentance of the Majority of the Members of Such Court shall be Immediately Executed, Provided always, that in all Tryals to be had before any Court Martial to be appointed and held as aforesaid in Virtue of this Act, every Judge before any Proceedings shall be had, shall take the following Oath to wit, I do swear that I will well and truly Try and Determine according to Evidence on the Subject of my Present Enquiry to the best of my knowledge and Judgment according to the Intent and Meaning of an Act of Assembly of the Province of Maryland Entituled an Act for Regulating the Militia of the Province of Maryland, without Partiality Malice Favour or Affection and that I will not at any time, upon any Account whatsoever disclose or discover [my] own Vote or Opinion or the Vote or opinion of any Other member of this Court Martial unless required to give Evidence thereof as a Witness by a Court of Justice in a due Course of Law so help me God Provide also, that no Officer or Private Person aforesaid being once Acquitted by a

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