

U. H. J.
Liber No. 35
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Commissary's having made such Oath, and for every Neglect in the Commissary to make out such Muster Rolls, and to make such Oath he shall forfeit the Sum of fifty Pounds Current Money and when it shall happen to be out of the Power of the Captain or Officer, commanding any Company to make the whole Company appear before the Commissary, on Account of the Company's being divided and posted at different Places, or ranging in different Parts then and in such Case the Commissary is to distinguish the names of such as are absent, at the Time of taking the Muster and to require Certificates of the Officer commanding the Company, in which Certificates shall be expressed, or specified the Reason of such Officer or Soldiers being absent, whether he be on Detachment, or other Duty, sick, recruiting or on ffurlough and how long he has been absent on such Account, and if any Soldier shall have died deserted or enlisted, or have been discharged since the last Muster, then opposite to their Names shall be notified, and it shall be specified in the said Certificates, when they died, deserted, enlisted, or were discharged respectively, and 'till the Captain, or Officer commanding the Company shall have given such particular Certificates as are above mentioned the Commissary is not to enter in the Roll the Names of any Officers, or Men besides such as actually muster and appear before him, and to deter the Officers from giving false Certificates. Be it further Enacted by the Authority aforesaid that all Certificates shall be returned to the Agents, with the Muster Rolls and if any Officer shall make, or give, or procure to be made or given, any false or untrue Certificates such Officer shall upon the Oaths of two Witnesses be forthwith cashiered; and for every such Offence, shall forfeit the Sum of one hundred Pounds Currency, and be moreover disabled to have or hold any military or civil Office, within this Province. And be it further Enacted that the Commissioners shall always close the Muster Roll of each Company upon the Place where & the Day when the Muster is taken, and the two eldest Officers of the Company if so many shall be present shall with the Commissary subscribe the said Muster Rolls, and if the Commissary, or any Officer shall wittingly, or willingly sign, a false or untrue Muster Roll; they and each of them shall for such Offence upon proof made, thereof by two Witnesses forfeit the Sum of one hundred Pounds Currency, and be rendred incapable of holding any military, or civil Office or Employment within this Province, and if any Officer p. 176 having received a Soldier's Pay shall detain, or withhold the same, or any Part thereof by the Space of a Fortnight after such Pay shall be by him, received, unless such Soldier shall be on Furlough, and then if the Officer detains it a Week, after the Expiration of the Fortnight, and Return of the Soldier to his Duty, such Officer so offending shall upon Proof made thereof before a General Court Martial forfeit fifty Pounds Current Money, and be cashiered, and