

or upon Sundays between the hours of ten and one o'clock on penalty of being dismissed from all future suttling.

50. No officer commanding in any camp, garrison, fort or other station, shall lay any duty or imposition upon, or be interested in, the sale of any victuals, liquors, or other necessaries of life, or merchandize which are brought or offered for sale for the use of the soldiers, nor shall receive or have any gratuity or reward for any license to any suttler, on penalty of being discharged from the service.

51. Any commissioned officer who shall be guilty of any fraud or embezzlement, shall forfeit all his pay due at the time of his conviction, make restitution, and be discharged from the service.

52. Any non-commissioned officer or soldier, who shall embezzle or destroy ammunition, provision, tools, or any other thing belonging to the public stores, shall be punished as may be adjudged.

53. Any officer or soldier, who shall wilfully, or through negligence disobey any general or special orders, shall be punished as may be adjudged.

54. That no general court-martial shall consist of a less number than thirteen, none of whom shall be of a less degree than a commissioned officer, and the president shall be a field officer; which general court-martial shall be appointed, when and as often as occasion shall require, by the council of safety, or the colonel or commanding officer of the said battalion; and the president shall administer an oath to the other members of the same court, and the member next in rank to the president shall administer an oath to him, before the said court shall proceed to determine or hear any case, in the words following, to wit: "You, A. B. do swear, that you will well and truly try, and impartially determine the cause of the prisoner now to be tried, according to the rules for regulating and governing the forces in the service of this province. So help you God." *Provided*, That when any person is to be tried for his life, the council of safety shall appoint twenty-four members at least, two of which to be field officers, and ten at least to be captains, out of a list of whom the offender may strike all above the number of fifteen, leaving at least one field officer and five captains; and sentence of death shall not be pronounced, unless twelve of the court martial concur in such sentence.

55. That no inferior court-martial shall consist of a less number than five commissioned officers, unless in such cases where that that number cannot be conveniently assembled, when three shall be sufficient; but no person on or against whom the offence is alleged to have been committed, shall be a member of any court-