

excuse shall appear at the time and place of muster, and there do and perform his duty according to his office and station; and for every neglect or refusal, he shall be fined a sum not exceeding fifteen shillings common money, to be adjudged if a field officer, by the other field officers present, or a majority of them; and if a commissioned officer, below the rank of a field officer, by the other commissioned officers present, or the major part of them.

That every non-commissioned officer and private of the minute men and militia appear at the time and place appointed for their respective appearance, for mustering, with his firelock and other accoutrements in good order, and there orderly, diligently, and obediently attend to instruction, and perform his exercise in arms, according to the commands and orders of his officers, and if any minute or militia man shall not appear at the time and place of muster with his firelock and other accoutrements in good order, having no reasonable excuse, or shall not there, after appearance, behave himself decently, and in a manner suitable to the attention and care requisite in such exercise, he shall forfeit and pay a sum not exceeding five shillings common money for every such neglect or misbehaviour, which shall be determined by the captain, lieutenants and ensign, or any two of them, either on their own view, or on representation and proof thereof, and on non-payment shall be committed to the custody of the sergeant of his company till payment.

That if complaint shall be made of gross misbehaviour, or breach of duty of any commissioned officer, by any committee of observation, or any two commissioned officers of the corps or company to which such officer, against whom complaint shall be made, doth belong, or by any one officer of superior or equal rank to the officer complained against, then the council of safety may appoint a court martial, to consist of not less than five, nor more than nine of the commissioned officers, of the same corps or county, who, or a majority of whom, shall hear, try, determine, and give sentence on such offence, so that the same sentence extend not further than to a pecuniary fine, not exceeding ten pounds common money, or to a public and solemn acknowledgment of the fault of the offending officer, or to a suspension or loss of his military commission; which sentence being transmitted to, and approved by the council of safety, shall be accordingly executed.

That all fines on officers of inferior rank to a field officer, and also on non-commissioned officers and privates, shall be to the use of the company to which such person belongs, and that all fines on field officers to be to the use of the battalion to which they respectively belong.