

38. Whatever commissioned officer shall leave his confinement before he is set at liberty by the officer who confined him, or by a superior power, shall be cashiered for it.

39. Whatever commissioned officer shall behave in a scandalous, infamous manner, such as is unbecoming the character of an officer and a gentleman, shall be discharged from the service.

40. The officer commanding the said battalion, and every officer commanding a company not of the said battalion, shall, upon notice given to him by the commissary of musters, assemble the battalion or company, under his command, in the next convenient place for their being mustered, which shall be done of the said battalion once in six weeks at least, and of the said other forces once in ten weeks at least.

41. Every field officer or other officer, commanding any corps, and actually residing with it, may give furloughs to officers and soldiers of his corps, as he shall judge to be most consistent with the good of the service; but no officer or soldier shall be absent above twenty days in six months; nor shall more than one officer and two private men be absent at the same time from any one company, excepting some extraordinary occasion shall require it.

42. At every muster, the commanding officer of the said battalion then present, or the captain or commanding officer of the said companies not of the battalion then present, shall give to the commissary of musters certificates of the musters signed by himself, signifying how long such officers, non-commissioned officers, and soldiers, who shall not appear at the said muster, have been absent, and the reason of their absence, which reason and the time of absence shall be inserted in the muster rolls, opposite to the respective names of such absentees; and the said certificate, together with the muster roll, shall be, by the said commissary, transmitted to the Council of Safety within twenty days next after such muster being taken, on failure whereof the commissary so offending shall be discharged from the service.

43. Every officer, who shall sign a false certificate relating to the absence of officers or non-commissioned officers, or private soldiers, shall be cashiered.

44. Every officer, who shall knowingly make a false muster of any man, and any officer or commissary, who shall sign, allow or return the muster rolls wherein such false muster is contained, knowing the falsity thereof, shall be cashiered, and forfeit all such pay as may be due to him at the time of his conviction of such offence.

45. Any commissary, who shall take any gift or gratuity on the false mustering of the said battalion or any company, or for signing any muster roll, shall be displaced, and forfeit his pay, as in the preceding article.

46. Any officer, who shall presume to muster any person as a soldier, who at other times is accustomed to wear a livery, or who does not actually do his duty as a soldier, shall be deemed guilty of having made a false muster, and suffer accordingly.

47. The commanding officer of every corps, or of any garrison in the service aforesaid, or at any station of any of the said forces, shall, in the beginning of every month, transmit to the Council of Safety an exact return of the state of the troops under his command, specifying the names of the officers not then residing at their posts, and the reason for and time of their absence. And whoever shall, through neglect or design, omit sending such returns, shall be punished as may be adjudged.

48. No person shall be allowed to fettle at any camp or station, or to any party or detachment of the said forces, before he shall have obtained a licence from the commanding officer thereof, and shall also have subscribed these rules.

49. No futtler shall be permitted to sell any kind of liquor, or victual, or to keep his house or shop open, for the entertainment of soldiers, after nine o'clock at night, or before beating the reveilles, or upon Sunday, between the hours of ten and one o'clock, on penalty of being dismissed from all future futtling.

50. No officer commanding in any camp, garrison, fort, or 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 licence to any futtler, on penalty of being discharged from the service.