

where no field officer of the regiment can with convenience be applied to.

S E C T I O N IV.

ARTICLE 1. Every officer commanding a regiment, troop or company, shall, upon the notice given to him by the commissary of musters, or from one of his deputies or other person properly authorized, assemble the regiment, troop, or company under his command, in the next convenient place for their being mustered.

ARTICLE 2. Every colonel, or other officer commanding a regiment, troop or company, and actually residing with it, may give furloughs to non-commissioned officers and privates, in such numbers and for so long a time as he shall judge to be most consistent with the good of the service; but no non-commissioned officer or private shall, by leave of his captain or inferior officer commanding the troop or company (his field officer not being present) be absent above twenty days in six months, nor shall more than two private men be absent at the same time from their troop or company, excepting some extraordinary occasion shall require it, of which occasion the field officer present with, and commanding the regiment, is to be the judge.

ARTICLE 3. At every muster the commanding officer of each regiment, troop or company there present, shall give to the commissary or other person authorized, certificates signed by himself, signifying how long such officers, who shall not appear at the said muster, have been absent, and the reason of their absence; in like manner the commanding officer of every troop or company shall give certificates, signifying the reasons of the absence of the non-commissioned officers and privates.

ARTICLE 4. Every officer, who shall be convicted before a general court-martial of having signed a false certificate relating to the absence of either officer or private, shall be cashiered.

ARTICLE 5. Every officer who shall knowingly make a false muster of man or horse, and every officer or commissary who shall willingly sign, direct, or allow the signing of the muster rolls wherein such false muster is contained, shall, upon proof made thereof by two witnesses before a general court-martial, be cashiered, and shall be thereby utterly unable to have or hold any office or employment in the service of this state.

ARTICLE 6. Any commissary who shall be convicted of having taken money or any other thing, by way of gratification, on the mustering any regiment, troop or company, or on the signing the muster-rolls, shall be displaced from his office, and shall be thereby utterly disabled to have or hold any office or employment under this state.

ARTICLE 7. Any officer who shall presume to muster any person as a soldier, who is at other times 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 shall suffer accordingly.

S E C T I O N V.

ARTICLE 1. Every officer who shall knowingly make a false return of the state of the regiment, troop or company, or garrison, under his command, or of arms, ammunition, cloathing, or other stores thereunto belonging, shall, by a general court-martial be cashiered.

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