

C H A P.  
XXVI.

and second lieutenant (brave and experienced seamen or mariners) to command the said ship or galley, and a captain and lieutenant of marines for the said vessel; and a captain and first and second lieutenant for each of the said barges, and a skilful surgeon, with one or more mates, as they may think necessary; and they may allow to such officers such pay, according to their rank, in current money, and such rations and privileges, as they may think proper; and the captain of the ship or galley shall have the command of the barges when cruising in concert, and the captain of the barges shall have command as the governor and the council may direct; and the governor and council are requested to procure all necessaries, and hospital and other stores, for the use of the officers and men, and to appoint proper persons to superintend the fitting out the said ship or galley and barges, and to enlist the seamen, watermen, and marines; and the governor and council may direct what bounty and pay shall be given to them respectively, and are requested to keep a separate account of the receipts and expenditures of all money applied to this service; provided that the fitting out of the whole or any part of the force allotted for the defence of the state be left to the discretion of the governor and council.

Men to be  
raised, &c.

II. **And**, for the manning the said ship or galley and barges, **Be it enacted**, That not exceeding three hundred and fifty men, to consist of a due proportion of able seamen and watermen, or persons used to bay craft, and landsmen or marines, be raised by voluntary enlistment, to serve on board the said vessels until the first day of January seventeen hundred and eighty-four, or during the war; and every person entering into this service shall witness the same, by voluntarily subscribing an engagement, to serve as a seaman, waterman, or marine, as the case may be, on board the said ship or galley, or some one of the said barges belonging to this state, until the first day of January seventeen hundred and eighty-four, or during the war, unless sooner discharged by order of the governor and council; and all officers, seamen, watermen, and marines, engaging in this service, shall be subject to the last articles established by congress for the government of the navy of the United States, except such part of the articles as relate to the constitution of a court-martial for the trial of officers.

Governor, &c.  
may order of-  
ficers to be  
arrested, &c.

III. **And be it enacted**, That the governor and council, or commanding officer of the said ship or galley and barges, may, on complaint against any officer for a breach or violation of the said articles, order such officer to be arrested, and may issue their or his warrant to any number of commissioned officers, not less than five nor exceeding seven, who shall be a court-martial for the trial of such offender; and the governor and council, or commanding officer of the said ship or galley and barges, may order a court-martial, to consist of not less than three nor exceeding five commissioned officers as aforesaid, for the trial of any non-commissioned officer, mariner, or marine, for any breach of the said articles, and if such number cannot be procured, then to such officers of equal rank in the navy or regular service of the United States as will make up such number; and every person appointed shall take the oath required by the articles established for the government of the navy of the United States, and on their judgment the same sentence and execution shall take place as is declared by the said articles on the judgment of a court-martial; and sentence for any capital offence shall  
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