

Art. 30. If any Officer or Soldier shall leave his Post or colours in time of an engagement, to go in search of plunder, he shall upon being convicted thereof, be put to a general Court Martial, suffer such punishment, as by said Court Martial shall be ordered.

Art. 31. If any Commander of any Post, entrenchment or Fort shall be compelled by the Officers or Soldiers under his Command to give it up to the Enemy, or to abandon it, the commissioned Officer or non commissioned Officer or Soldier who shall be convicted of having so offended, shall suffer death or such other punishment as may be inflicted upon them by the sentence of a general Court Martial.

Art. 32. All sutlers and retailers to a camp, and all persons whatsoever serving with the Continental Army in the field, though not enlisted Soldiers, are to be subject to the Articles, rules and regulations of the Continental Army.

Art. 33. No general Court Martial shall consist of a less number than thirteen, none of which shall be under the degree of a Commissioned Officer: and the president shall be a field Officer: and the president of each and every Court Martial whether general or regimental shall have power to administer an oath to every orator, in order to the trial of Offenders: and the members of all Courts Martial shall be duly sworn by the President, and the next in rank in the Court Martial shall administer the oath to the President.

Art. 34. The members both of general and regimental Courts Martial, shall, when belonging to different Corps, take the same rank which they hold in the Army, but when Courts Martial shall be composed of Officers of one Corps, they shall take their ranks according to their commissions by which they are mustered in said Corps.

Art. 35. All the members of a Court Martial are to behave with calmness, decency and impartiality, and in giving of their votes are to begin with the youngest or lowest in Commission.

Art. 36. No field Officer shall be tried by any person under the degree of a Captain, nor shall any proceedings or trial be carried on, excepting between the hours of eight in the morning, and three in the afternoon, except in cases which require an immediate example.

Art. 37. The Commissioned Officers of every regiment may by the appointment of their Colonel or Commanding Officer hold regimental Courts Martial for the enquiring into such disputes, or criminal matters as may come before them, and for the inflicting corporal punishments, for small offences, and shall give judgment by the majority of voices; but no sentence shall be executed till the Commanding Officer (not being a member of the Court Martial) shall have confirmed the same.

Art. 38. No regimental Court Martial shall consist of less than five Officers, excepting in cases where that number cannot be conveniently assembled, when three may be sufficient, who are likewise to determine upon the sentence by the majority of voices; which sentence is to be confirmed by the Commanding Officer, not being a member of the Court Martial.

Art. 39. Every Officer commanding in any Fort, Castle or Barrack, or elsewhere where the Corps under his command consists of detachments from different regiments, or of independent Companies, may assemble a Court Martial for the trial of offenders in the same manner as if they were regimental, whose sentence is not to be executed, till it shall be confirmed by the said Commanding Officer.