

Art. 40. No person whatsoever shall use menacing words, signs or gestures in the presence of a Court martial then sitting, or shall cause any disorder or riot, so as to disturb their proceeding; on the penalty of being punished at the discretion of the said Court martial.

Art. 41. To the end that offenders may be brought to justice, whenever any Officer or soldier shall commit a crime deserving punishment, he shall by his commanding Officer or an Officer, be put in arrest; if a non commissioned Officer or soldier be imprisoned till he shall be either tried by a Court martial, or shall be lawfully discharged by proper authority.

Art. 42. No Officer or soldier who shall be put in arrest, or imprisonment shall continue in his confinement more than eight days, or till such time as a Court martial can be assembled.

Art. 43. No Officer commanding a guard, or provost martial shall refuse to receive or keep any prisoner committed to his charge by an Officer belonging to the Continental forces; which Officer shall at the same time deliver an account in writing, signed by himself, of the crime of which the said prisoner is charged.

Art. 44. No Officer commanding a guard, or provost martial shall presume to release any prisoner committed to his charge, without proper authority for so doing; nor shall he suffer any prisoner to escape, on the penalty of being punished for it, by the sentence of a general Court martial.

Art. 45. Every Officer, or provost martial to whose charge prisoners shall be committed, is hereby required, within twenty four hours after such commitment, or as soon as he shall be relieved from his guard, to give in writing to the Colonel of the Regiment, to whom the prisoner belongs (where the prisoner is confined upon the guard belonging to the said Regiment, and that his offence only relates to the neglect of duty in his own Corps) or to the Commander in Chief, their names, their crimes, and the names of the Officers who committed them, on the penalty of being punished for his disobedience or neglect, at the discretion of a general Court martial.

Art. 46. And if any Officer in arrest shall leave his confinement before he is set at liberty by the Officer who confined him, or by a superior power, he shall be cashiered for it.

Art. 47. Whatsoever commissioned Officer shall be convicted before a general Court martial of behaving in a scandalous, infamous manner, such as is unbecoming the character of an Officer and a gentleman, shall be discharged from the service.

Art. 48. All Officers, conductors, gunners, mates, drivers, or any other persons whatsoever receiving pay or hire in the service of the Continental Artillery, shall be governed by the aforesaid rules and articles, and shall be subject to be tried by Court martial, in like manner with the Officers and soldiers of the Continental troops.

Art. 49. For differences arising amongst themselves, or in matters relating solely to their own Corps, the Court martial may be composed of their own Officers, but when a number sufficient of such Officers cannot be assembled, or in matters wherein other Corps are interested, the Officers of Artillery shall sit in Court martial, with the Officers of the other Corps.

Art. 50. All crimes not capital, and all disorders and neglects which Officers and soldiers may be guilty of, to the prejudice of good order and military discipline, though not mentioned in the articles of war, are to be taken cognizance of by a general or regimental Court martial.