

according to the nature and degree of the offence, and be punished at their discretion.

Art. 51. That no person shall be sentenced by a Court martial to suffer death, except in the cases expressly mentioned in the foregoing articles, nor shall any punishment be inflicted at the discretion of a Court martial, other than degrading, cashiering, drumming out of the Army, or whipping not exceeding thirty nine lashes, or not exceeding two months pay of the Offender, or imprisonment not exceeding one month.

Art. 52. The Field Officers of each and every regiment are to appoint some suitable person belonging to such regiment, to receive all such fines, as may arise within the same, for any breach of any of the foregoing articles, and shall direct the same to be carefully and properly applied to the relief of such sick, wounded or necessitous soldiers as belong to such regiment; and such person shall account with such Officer for all fines received, and the application thereof.

Art. 53. All members sitting in Courts martial shall be sworn by the President of said Courts, which President shall himself be sworn by the Officer in said Court next in rank; the oath to be administered previous to their proceeding to the trial of any Offender is in form following, viz: "I, A. B. swear that you will well and truly try, and impartially determine the cause of the Prisoner now to be tried, according to the rules for regulating the Continental Army; So help you God."

Art. 54. All persons called to give evidence in any case before a Court martial, who shall refuse to give evidence, shall be punished for such refusal, at the discretion of such Court martial; the oath to be administered in the form following, viz: "You swear the evidence you shall give in the case now bearing, shall be the truth, the whole truth, and nothing but the truth, So help you God."

Art. 55. Every Officer commanding a regiment, troop or Company shall upon notice given to him by the Commissary of the musters, or from one of his deputies, assemble the regiment, troop or company under his command, in the next convenient place for their being mustered.

Art. 56. Every Colonel or other Field Officer, or Officer commanding any Corps, to which there is no Field Officer, and actually residing with it, may give leave to non commissioned Officers and soldiers, 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 soldier 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, or 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 or independent Corps, is to be judge.

Art. 57. At every muster the Commanding Officer of each regiment, troop, or company then present, shall give to the Commissary of musters certificates 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 respective names of such absentees. The said certificates shall together with the muster rolls by the said Commissary transmitted to the general, and to this or any future Congress of the United Colonies, or Committee appointed thereby, within twenty days