

C H A P.
XVII.

to such persons of the militia as are by him deemed unable to provide the same; and such arms and military accoutrements so delivered to him as shall be unfit for use, the said colonel or commanding officer shall have mended and made fit for use as soon as possible, and delivered out as aforesaid, and his reasonable charge for the same shall be allowed and paid him by the Lieutenants.

Persons refusing to deliver public arms, &c. to pay treble the value, &c.

XXVI. And be it enacted, That every person of, whom any arms, military accoutrements or locks, belonging to the public, shall be demanded as aforesaid, refusing to deliver the same as before directed, immediately on such demand, shall forfeit and pay treble the value of such arms, military accoutrements and locks, with costs, to be recovered in a summary way before any magistrate of the county wherein such person shall reside; and in case any justices of the peace shall by any means be informed, or suspect that any person hath in his or her possession, any arms, military accoutrements or locks, belonging to the public, after such demand made by the corporal as aforesaid, he shall issue his warrant immediately to such corporal, or his successor, to seize and take such arms, military accoutrements and locks; and bring them, together with such person, before him, and in case it shall appear that the same do belong to the public, the said person shall forfeit and pay treble the value thereof; and moreover the said justice shall order the said corporal to keep safe, and deliver them up as before directed, and shall give judgment against such person to pay such corporal two shillings and six-pence current money; and if any dispute shall arise at any time, whether any arms, military accoutrements or locks, stamped with the public stamp, or where such stamps appear to be defaced, do belong to the public or not, the *onus probandi* shall lie on the person in whose possession the same shall be.

Penalties on officers for neglect of duty.

XXVII. And be it enacted, That every colonel or commanding officer of the battalion, and every other officer above the degree of a captain, who shall neglect his duty above enjoined, shall forfeit and pay the sum of ten pounds current money for every such neglect, every captain or commissioned officer under the degree of captain, the sum of five pounds, and every corporal the sum of two pounds ten shillings.

Persons disabled in the service to be allowed pensions, &c.

XXVIII. And be it enacted, That if any commissioned officer, non-commissioned officer, or private, of this state, who has or hereafter may lose a limb in any engagement, in the service of this state, or in the service of the United States of America, or be so disabled as to render him incapable of getting a livelihood, shall receive during life, or the continuation of such disability, a pension, not more than one half of the monthly pay, from and after the pay as an officer or private ceases. And every officer or private, disabled as aforesaid, shall, before he be entitled to the pension abovementioned, produce a certificate from the commanding officer who was in the same engagement in which he was wounded, or from some other officer of the same corps, or the surgeon who attended him; and upon such disabled officer, non-commissioned officer, or private, producing such certificate to the orphans court of the county where such disabled officer or private shall dwell or reside, the said court is hereby enjoined and required to give every such officer or private an order on the lieutenant of the said county for such sum or sums of money, from time to time, as to them shall appear just and