

C H A P.
VII.Public Arms
to be Mark'd.Penalty on
Persons
knowingly
Selling or
Purchasing
such Arms.

XIV. **And** to prevent the Embezzlement of the Public Arms, **Be it Enacted**, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That all the Public Arms shall be Marked with such Marks, and in such Manner, as the Governor, or Commander in Chief, shall think most proper, to denote such Arms to belong to the Public; after which Marks so made, no Person or Persons whatsoever, shall presume to Sell or Purchase such Arms so Marked, or where the Mark appears to have been defaced, or knowing the same to be Public Arms, under the Penalty of Forty Shillings; to be recovered against the Seller; and the like Penalty of Forty Shillings, to be recovered against the Purchaser, for every Offence, before a single Magistrate, upon the Oath of one or more credible Witness or Witnesses: Which said Magistrate shall issue his Warrant to the Clerk of the County, directing him to issue an Execution for such Penalty; which Execution he shall issue, and the Sheriff shall serve and levy the Penalty, in Manner aforesaid: Half of which Penalty shall be paid to the Informer for his own Use, and the other Half to the Governor, or Commander in Chief, for the Uses aforesaid.

No Member
of the Coun-
cil obliged to
serve in the
Militia.

XV. **And whereas**, there is not any Exemption by the Laws now in Force, of any Member of his Lordship's Council, and of the Upper House of Assembly, **Be it therefore Enacted**, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That no such Member shall be obliged to serve in the Militia, or be Enrolled or Inlisted in any Regiment, Troop, or Company thereof; any Law to the contrary notwithstanding.

How far the
Executor of
an Officer de-
ceased, shall
be chargeable
with Public
Arms.Succeeding
Officers how
far chargea-
ble.

XVI. **Provided always**, That this Act, nor any Thing herein contained, shall be construed to charge the Executors or Administrators of the Colonel, Lieutenant-Colonel, Major, or Captain, dying, for any of the Arms aforesaid, more than they shall have in their Possession, or shall have received Satisfaction for, from the several Persons, liable to such Colonel, Lieutenant-Colonel, Major, or Captain, so dying: Nor any Colonel, Lieutenant-Colonel, Major, or Captain, succeeding any deceased Colonel, Lieutenant-Colonel, Major, or Captain, shall receive or take in his or their Possession, or for more than he or they shall take Receipts for, as aforesaid; but such succeeding Colonel, Lieutenant-Colonel, Major, or Captain, shall, on the Death of any Colonel, Lieutenant-Colonel, Major, or Captain, immediately warn the respective Regiment or Regiments, Companies and Troops, to Muster, and then take Receipts for such Arms as shall then be produced in good Order: The Number thereof, together with the Condition of such Arms as shall be lost, or spoiled, as aforesaid, shall by the respective Colonel, Lieutenant-Colonel, Major, or Captain, be certified to the Governor, or Commander in Chief, within Thirty Days after such Muster: After which Return of the Certificate aforesaid, every such Officer shall be liable to each other, and the Men to such Officer, as is before directed by this Act: Which Muster and Return, shall be made and had, as aforesaid, under the Penalty of the Officer neglecting the same being liable for the Value of the Arms delivered to the deceased Officer, in whose Place he shall Succeed; which Value shall be ascertained, levied, paid, and applied, in the Manner, and to the Use afore-mentioned.

No Officer
liable for
Arms deli-
vered to in-
solvents.

XVII. **Provided also**, That no Officer, nor his Executors or Administrators, shall be liable, by Virtue of this, or any other Act, for such Arms as shall be delivered to any Person or Persons, which are or shall be Inlisted or Enrolled in any Troop or Company, and who shall, after such Receipt of the said Arms, and before any Satisfaction made to the proper Officer, for the Loss, Damage, or Embezzlement of such Arms, either prove insolvent, or run away, or die insolvent.

Examined and Compared with the Original Act, REVERDY GHISELIN,
THOMAS BACON.