

- An oath to be taken by the officers therein mentioned, that they will not receive such profits—Const. art. 38.
- Power of the governor and council in appointing and removing military officers—Const. art. 48.
- Military and militia commissions shall not be attested by the chancellor, or have the seal of the state annexed—Const. art. 57.
- Standing armies are dangerous to liberty, and ought not to be raised or kept up without consent of the legislature—Decl. of Rights, art. 26.
- In all cases, and at all times, the military ought to be under strict subordination to, and control of, the civil power—Decl. of Rights, art. 27.
- No soldier ought to be quartered in any house in time of peace without the consent of the owner, and, in time of war, in such manner only as the legislature shall direct—Decl. of Rights, art. 28.
- No person, except regular soldiers, mariners and marines, in the service of this state, or militia when in actual service, ought, in any case, to be subject to, or punishable by, martial law—Decl. of Rights, art. 29.

ARRAY.

See JURORS.

ARREST.

- The house of delegates may punish, by imprisonment, any person who shall be guilty of a breach of privilege, by arresting on civil process any of their members during their sitting, or on their way to, or returning from, the house—Const. art. 12.
- The senate may exercise the same power in similar cases—Const. art. 12.
- On the arrest of a defendant on a *capias ad satisfaciendum*, the plaintiff, with the consent of the defendant, may elect not to call the said execution, and may proceed with a new one—1789, ch. 42, sec. 2, 255
- No inhabitant to be arrested out of the county where he resides for debt, &c. by any *capias*, till the return of non est, from his county—1801, ch. 74, sec. 11, 460
- On such an arrest, the plaintiff to suffer a non suit, or if on execution, the person to be discharged—1801, ch. 74, sec. 12, 461
- But not to extend to persons absconding from justice in the county where they live, who may be arrested in any county—1801, ch. 74, sec. 12, 461
- A person arrested on attachment or *capias*, and permitted by the sheriff, &c. to go at large, may be again arrested before the return day, or during the term, in virtue of the same process, in order to be produced before the court—1811, ch. 161, sec. 2, 604
- Such second arrest to be as available as the first, with the same power to detain or hold to bail—1811, ch. 161, sec. 2, 604
- A sheriff, &c. having arrested any person on an attachment, a *capias ad respondendum*, or a *capias ad satisfaciendum*, and dying before the return day, the sheriff, for the time being, may, on the same writ,