

47. The refusal or neglect to produce said arms or accoutrements upon any company inspection day, or to exhibit the same at any other time to the commanding officer of his company, by any uniformed volunteer or drafted militiaman when thereto required, shall be conclusive proof of the loss or destruction of the same by such volunteer or militiaman.

48. The commanding officer of each uniformed volunteer company and of each draughted company of militia shall make and transmit by mail to the adjutant general and to the Comptroller, in the month of November in every year he shall command a company, a list of the certificates that he shall have delivered to any sheriff.

49. Each sheriff shall make duplicate returns under oath annually in the month of December, of all the money which he shall have collected from the militia of the State for fines, forfeitures and penalties, designating the persons from whom received, to what company, battalion, squadron or regiment they severally belonged, and the sums by them respectively paid, and for what offences, object or cause, and shall also transmit by mail one of said returns to the adjutant general and the other to the Comptroller.

50. If any commanding officer of any volunteer or draughted company of militia, or the sheriff of any county, shall neglect or refuse to perform any duty imposed in this article, he shall be answerable to the State in double damages for any injury or loss occasioned by such refusal or neglect, and proceedings shall be instituted and prosecuted against such delinquent sheriff in the name of the State for the recovery of such damages, by order of the adjutant general or Governor, before any justice of the peace of the proper county, where the sum claimed does not exceed one hundred dollars, or in the Circuit Court for the county where the sum claimed exceeds one hundred dollars.

51. The damages which may be recovered in such proceedings against the commanding officer of a regiment shall be collected by the sheriff of the proper county and be by him paid over to the Treasurer, and the damage which shall be recovered against any sheriff shall be collected by such civil officer as the adjutant general shall designate for the purpose, and such officer shall forthwith pay over the same to the Treasurer, after deducting a commission of ten per centum therefrom.