

Dec Ses 1817.

Public arms.

63. *And be it enacted,* That for the better preservation of the public arms in said brigades, it shall be the duty of every commanding officer of a company to report in March next, to the commanding officer of the regiment or extra battalion, to which they are attached, the number of arms and accoutrements, public or private, in their respective companies, designating such as belong to the state; and the field officers of regiments or extra battalions shall, on or before the first day of May next, give bond, with security, to the state, to be approved by the governor and council, for the safe keeping of the arms and accoutrements belonging to the state, held by their respective regiments or extra battalions, and for the return of the same when required by the state; and thereupon the bonds heretofore given for such arms or accoutrements shall be cancelled; and when such public arms or accoutrements shall be left in the hands of any company, by the field officers of the regiments or extra battalion to which such company belongs, the commissioned officers thereof shall give the like bonds to the commanding officer of the regiment or extra battalion, to which such company is attached, to be by them respectively approved; and the commanding officer of such company shall take from each member receiving such arms or accoutrements, a receipt for the same, in a book to be kept for that purpose, thereby engaging to keep such arms and accoutrements in good order, and to return them when required by the state, or when such persons shall cease to be a member of the company, and in default thereof he shall pay their full value, as may be fixed by law, for arms lost, to be recovered as fines are directed by this act, under the direction of the commanding officer of said company, and when received, paid over to the paymaster of his regiment or extra battalion, for the purpose of replacing such arms or accoutrements; and if any officer shall refuse or neglect to comply with the provisions of this section, he shall be cashiered, and if any private shall refuse or neglect to give such receipt, he shall be fined not exceeding twenty dollars, in the discretion of such court martial as the cases may require; and the governor and council are hereby authorised to loan to the said brigades, such of the public arms and accoutrements as may be hereafter wanted therein, upon bond and security being given for the same, in the manner herein before provided, by the field officers of the regiment or extra battalion, for whose use they may be loaned; and if such arms are distributed to companies, it shall be done upon the like terms, and under the like penalties, as are herein before provided; and when any field officer, who hath given bond as aforesaid, shall resign, or otherwise quit his command, he shall be released from such bond, upon a new one being given and approved as aforesaid by his successor, and other field officers of the regiment or extra battalion as the case may be, which new bond they are hereby required to give within one month after such successor's acceptance of his commission; provided it shall appear by returns from the quarter master, or commanding officers of companies, (which either of the said officers who are to give such bond are authorised to require, and shall under pain of being cashiered be forthwith made) that such arms and accoutrements are then in the regiment or extra battalion as the case may be; and thereupon the officer failing to give such new bond shall be liable to be cashiered, by such court martial as the case