

Dec. Ses. 1823

Arms &amp; accoutrements, report of the number.

Bond for return of.

Receipts for.

In good conditions.

Penalty, Governor &amp; Council authorised to loan.

Proceedings respecting.

Case of resignation.

Bonds canceled, how.

Proviso.

71. *And be it enacted*, That for the better preservation of the public arms in said division, it shall be the duty of each commanding officer of a company to report in March next to the commanding officer of the regiment, to which he is attached, the number of arms and accoutrements, public and private, in his company, designating such as belong to the state; and the field officers of every regiment, 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, 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 regiment to which such company belongs, the commissioned officers thereof shall give bonds to the commanding officer of the regiment to which such company is attached, to be by him approved, for the return of the same when required by him or his successor in office; and the commanding officer of such company shall take from each member receiving such public arms or accoutrements a receipt for the same, in a book to be kept for that purpose, thereby engaging to keep such arms or accoutrements in good order, and to return them when they are required by said commanding officer, and in default thereof he shall pay the sum of fifteen dollars, to be recovered as other fines under this act, under the direction of the commanding officer of said company, and when received paid over to the paymaster of his regiment for the purpose of replacing such arms or accoutrements; and if any officer, non-commissioned officer or private, shall refuse or neglect to comply with any of the provisions of this section as required of him, he shall be fined not exceeding fifty dollars, in the discretion of such court martial as the case may require; and the Governor and Council are hereby authorised to loan to the said division such of the public arms and accoutrements as may hereafter be wanted therein, upon bond and security being given for the same, in the manner herein before provided, by the field officers of the regiment 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 his bond upon a new one being given and approved as aforesaid by his successor and other field officers of the regiment, which new bond they are hereby required to give within one month after such successors 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; and thereupon the officer failing to give such new bond, shall be liable to be fined a sum not exceeding fifty dollars, by such court martial as the case may require; and when any company officer who hath given bond as herein before provided shall quit his company, he shall be released from his bond, upon a new one being given and approved as herein before provided, to the commanding officer of the regiment, by his successor with the other commissioned officers of the company, which bond shall be given within ten days after such successors acceptance of his com-