

commanding officers respectively, shall be paid out of the fines of their respective regiments, or extra battalion; and if any quarter master shall neglect the duties required of him by this section, he shall be liable to be cashiered, or fined not exceeding one hundred dollars, in the discretion of such court martial as the case may require; and if any non-commissioned officer or private shall refuse or neglect to return the arms and accoutrements to such place of deposit, when so ordered by his commanding officers, he shall be fined not exceeding ten dollars, in the discretion of such court martial as the case may require.

CHAP. 228.

65. AND BE IT ENACTED, That if any person shall, within the limits of the said brigades, sell or buy, (unless by the authority of the state,) any of the public arms or accoutrements belonging to the state, or give or receive the same in pledge, barter, or as a gift, knowing the same to be public, or shall injure or destroy such arms or accoutrements, or use the same for any other than military purposes, or shall carry or convey them out of the limits of said brigades, except when on duty, such person shall, for every such offence, forfeit and pay ten dollars; and if such arms or accoutrements shall by any of the means aforesaid be rendered useless or become lost, such person shall also forfeit and pay the full value thereof as fixed by the state for arms and accoutrements lost; and such forfeitures shall be recovered at the instance of any commissioned officer of the brigade to which he belongs, and paid to the paymaster of his regiment or extra battalion; the aforesaid value to be accounted for to the corps, when ascertained, to which such arms or accoutrements belonged, for the purpose of replacing them.

Arms not to be bought or sold or improperly used.

66. AND BE IT ENACTED, That whenever any of the public arms or accoutrements shall, within the limits of said brigades, be found in the possession of any person, (except as authorised by this act,) the same may be demanded by any commissioned officer, and if refused to be delivered up, on proof of such demand and refusal before any justice of the peace, such justice shall, at the instance of such officer, by warrant in the name of the state, cause the person to be brought before him, and examine into the facts; and upon its appearing to such justice that the arms or accoutrements, so claimed, belong to the state, he shall order them to be delivered to such officer, and the person holding them to pay costs, and may, if necessary, commit such person to prison, until such order be complied with; if he shall decide otherwise, such officer shall pay costs, which shall be reimbursed out of the fines of the regiment, or extra battalion, to which he is attached, and the arms or accoutrements so recovered shall be held by such regiment, or extra battalion, to be delivered over to the corps, when ascertained to which they belong.

May be demanded by any officer.

67. AND BE IT ENACTED, That the system of tactics, training and discipline, adopted, or which may hereafter be adopted by congress, for the United States army, shall be used and observed throughout the said brigades; and if any officer shall neglect or refuse to use, practice and enforce such system, in part of the disciplining and training the militia under his command, he shall be deemed guilty of disobedience of orders, and proceeded against as the case may require.

System of discipline to be observed