

made the duty of the Governor, by and with the advice and consent of the Senate, to appoint, bi-ennially, an Armorer at Frederick, and an Armorer at Easton, to take charge of and keep in repair and fit for use, all public arms and accoutrements in those armories. The Armorers are each required to give bond, with security, for the faithful discharge of their duty.

There is no charge, on the part of the Governor, that the armories had been robbed, or that the Armorers had not done their duty; but he does say that the State, in addition to a pecuniary loss, has been deprived of the protection designed to her citizens by the purchase of said arms.

It is manifest, however, to your Committee, that the loss referred by the Governor, was sustained to the State by the neglect of the Governor and Adjutant General to comply with the positive requirement of the act of the 27th February, 1860, chapter 188, which made it their duty that, when the arms were so purchased, they should "be deposited in the armories of the State, and distributed by the Adjutant General according to the mode prescribed, *to the several volunteer companies of the State.* Not distributed by the Governor nor by his order, but by the Adjutant General; not to individual citizens—for neither the Adjutant General nor Governor has any power to distribute the arms of the State amongst individual citizens, though the Governor has illegally issued such orders, but "to the several volunteer companies of the State."

By the fifth section of the eighth Article of the Code, it is made the duty of the Quarter Master, General, and the Brigade and Regimental Quarter Masters, whenever they have reason to believe that any of the public arms are not properly preserved, or have fallen into the possession of those who have no right to retain them, such as ununiformed associations of individuals or disbanded companies—to cause such arms to be seized and transported to the nearest State Armory. The State has, therefore, made ample provision for the safe keeping of all the public arms of the State. The laws have designated the places where they shall be kept, who shall keep them—and has provided for their safety and their proper preservation, by requiring bond, with ample security, from the Armorers.

By the act of the 27th February, 1860, it was made the duty of the Governor and Adjutant General, to purchase for the use of the State such number of rifles, carbines, pistols, sabers and horse equipments, for calvary, of the most approved patterns, as in their judgment may be necessary; and when so purchased, it was their duty to have them deposited in the armories of the State; and when so deposited, the Adjutant General was required "to distribute them" in accordance with the provisions of the one hundred and tenth section of the sixty-third Article of the