

this or the United States, may be ordered to march, shall, on the written application of any officer having the quartering, disposition, direction or command, of such battalion, detachment, troop or company, issue his warrant or warrants to one or more constables of the county, requiring him or them to provide boats or vessels for the transportation of such battalion, detachment, troop or company, with their baggage and military stores; by hire or contract, on the terms hereafter ascertained for prest boats or vessels; and if a sufficient number cannot be so procured, then to prest such a number as will make up the deficiency; but if the emergency be such as not to admit of the delay which may arise from an endeavour to procure such boats or vessels by contract or hire, then such judge, or member of the council, or justice, shall issue his warrant to such constable or constables as aforesaid, requiring them immediately to prest such a number of boats and vessels as may be wanted for such public service; and the owner of such boat or vessel, where the tunnage of such boat or vessel shall be from fifteen to twenty tun, shall be paid at the rate of twenty shillings per day; and where the tunnage shall be from twenty to twenty-five tuns, at the rate of twenty-five shillings per day; and where the tunnage shall be from twenty-five to thirty-five tuns, at the rate of thirty shillings per day; and where the tunnage shall be above thirty-five tuns, at the rate of one shilling a tun per day, till such boat or vessel shall be discharged; and, after such discharge, every such owner shall be paid in the proportion aforesaid, for every day such boat or vessel shall be in returning back, allowing a day only for every thirty miles from the place of discharge.

C H A P.
IV.

IX. **And be it enacted,** That if any military officer, for the use of whose troop any carriage shall be provided, shall force and constrain any carriage to carry more than one tun, or to travel more than twenty miles in one day, or shall not discharge the same when carried sixty miles from the place where such carriage was prest, or shall suffer any non-commissioned officer or soldier, except such as are sick and unable to travel, or any women or servants, or any other person attending the army, to ride in the carriage, or shall force any constable, by any threats, to provide saddle horses for himself or servants, or shall force any horse from any owner, or shall impress any carriage or vessel whatever, such officer, for every such offence, shall forfeit and pay to the party grieved a sum not exceeding fifteen pounds nor less than three pounds fifteen shillings, on conviction on the oath of one or more credible witness or witnesses, before a justice of the county where the offence was committed, the said penalty to be adjudged at the discretion of such justice, who shall commit the offender till payment.

Penalty on officers forcing carriages to carry more than one tun, &c.

X. **And be it enacted,** That the commanding officer or quarter-master, or the officer having the charge of the baggage, military stores, provisions, sick and wounded, aforesaid, shall, on the discharge of the said carriage and team, or boat or vessel, pay for the hire or use of the same; and if such officer has not a supply of money to answer such expences, then he shall give to the driver of such carriage and team, a certificate, expressing the burthen such carriage and team was capable of carrying, the distance it travelled, and the distance it was also capable of travelling, and by whom provision and forage for such driver and team were found; and shall give to the skipper of such boat or vessel, a certificate, expressing the tunnage of such boat or vessel, and the distance it sailed from the place where it was hired or impressed; which certificates shall entitle the bearer thereof to receive of the treasurer of either shore of this state the pay directed by this act. And if such carriages and teams, or boats and vessels, were employed in the continental service, then the expences of such carriages and teams, or boats or vessels, the said treasurer shall charge to the continent.

Officers to pay for the use of carriages, &c. or give a certificate, &c.

XI. **And,** to prevent any dispute about the passage over ferries, and the price therefor, **Be it enacted,** That where any troops or baggage shall be carried over any regular public or county ferry, in this state, it shall be lawful for the commanding officer, either to pass with his troops as passengers, or to hire the ferry-boat entire to himself and his party, debarring others for that time, in his option; and in case he shall choose to take passage for himself and party, as passengers, he shall only pay for himself, and each person under his command, one fourth of the

In what manner ferriages are to be paid, &c.