

# Acts of Assembly passed in April, 1757.

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forfeit the Sum of One Hundred Pounds Current Money, and be rendered incapable of holding any Military or Civil Office or Employment within this Province: And if any Officer having received a Soldier's Pay, shall detain or withhold the same, or any Part thereof, by the Space of a Fortnight after such Pay shall be by him received, unless such Soldier shall be on Furlough, and then, if such Officer shall detain it a Week after the Expiration of the Furlough and Return of the Soldier to his Duty, such Officer, so offending, shall, upon Proof thereof, before a General Court-Martial, forfeit Fifty Pounds Current Money, and be cashiered; and if the Informer be a Soldier, and demand a Discharge, he shall be thereupon discharged from any further Service. And Soldiers paid.

XIII. AND be it Enacted by the Authority aforesaid, That all the Returns, Muster-Rolls, Certificates, Returns, &c. Accounts, and Receipts, which shall be returned to the said Agents, agreeable to the Directions of this Act, to be laid before the said Agents, together with their Accounts, before the next General Assembly of this Province, on or before the Third Day after their Meeting. the Assembly.

XIV. AND to prevent any Abuses or Impositions by Public House Keepers, in whose House any Pay for Soldiers Soldiers may be quartered or billeted, *Be it Enacted*, That no Public House Keeper, until the Twenty-fifth Day of December next, shall charge to, or receive from, any Officer under the Degree of Captain, or private Soldier, quartered or billeted in his or her House, more than the following Rates, *viz.* For a Commission Officer, under the Degree of a Captain, for his Diet of such good and wholesome Food as is usually provided by Ordinary Keepers in this Province, with small Beer or Cyder, the Sum of Eighteen Pence Current Money *per Diem*, and Lodgings; and for a private Soldier, for his Diet as aforesaid, with small Beer, the Sum of Nine Pence Current Money *per Diem*, and Lodging. Quarters.

XV. AND be it further Enacted, That all and every of the Officers and Soldiers, commissioned, raised, enlisted, and in Pay for the Purposes aforesaid, in Virtue of this Act, shall, whilst in the Pay of this Province, by Virtue of this Act, be liable to Martial Law and Discipline, in like Manner, to all Intents and Purposes, as the *British* Forces are by the Statute Laws of *Great-Britain*, now in Force, and shall be subject to the same Trial, Penalties, and Punishments, except in Cases where it is otherwise provided by this Act. *Provided always*, and it shall and may be lawful to and for the Governor, or Commander in Chief of this Province, for the Time being, from Time to Time, during the Continuance of this Act, to grant a Commission to any Officer of the said Five Hundred Men, not under the Degree of a Captain, for holding a General Court-Martial within this Province, in which Court-Martial all the Offences committed by any of the Officers or Men, who shall serve under this Act, against the true Intent and Meaning of the Statutes now in Force in *Great-Britain*, relating to Martial-Law and Discipline, and all Offences under this Act not properly triable elsewhere, shall be tried and proceeded against. *Provided also*, That no General Court-Martial, which shall have Power to sit by Virtue of this Act, shall consist of a less Number than Seven, whereof none to be under the Degree of a Commission Officer; and the President of such General Court Martial shall not be under the Degree of a Captain; and that no Sentence of Death shall be given against any Offender by such General Court-Martial, unless Five of the said Seven, or Two Thirds of a greater Number than Seven Officers present, shall concur therein; nor shall any Sentence of Death, given by such Court-Martial, be carried into Execution until the Minutes of the Proceedings of such Court-Martial be laid before the Governor or Commander in Chief of this Province, for the Time being, and his Warrant thereupon obtained for the Execution of such Sentence. Martial-Laws extended, And Court constituted.

XVI. AND be it further Enacted, That if any Person shall, from and after the End of this Session of Assembly, before the Twenty-fifth Day of December, Seventeen Hundred and Fifty Seven, harbour or conceal, or assist any Deforter from the Service aforesaid, knowing him to be such, or shall knowingly buy, or exchange, or otherwise receive any Cloaths, Arms, or military Accoutrements, from any Soldier in, or Deforter from, his Majesty's Service, or the Service of any of his Colonies in *America*, the Person so offending shall forfeit, for such Offence, the Sum of Ten Pounds Current Money. Penalty on harbouring Deforters.

XVII. AND be it further Enacted, That every Person that shall Enlist in the Service aforesaid, shall, after his Discharge from the said Service, upon his producing to the County Court where he shall reside, a Certificate of his good Behaviour therein, which Certificate the Clerk of the same Court shall record without Fee or Reward, shall be exempted from the Payment of all Manner of Taxes or Levies whatever, as also from the labouring on High-Ways, and from Payment of Ferriages, for the Space of Three Years next after the producing such Discharge or Certificate. Soldiers exempted from Taxes, &c. on, &c.

XVIII. AND for the Encouragement of such Soldiers as shall adventure their Lives in the Defence of this Province, and his Majesty's Service, under this Act, and shall happen to be maimed, or rendered incapable to get a Livelihood for themselves or Families, *Be it Enacted*, That any Person who shall adventure as a Soldier, on any Expedition for the Defence of this Province, or his Majesty's Service, under this Act, and shall happen to be maimed or receive Hurt in the Service aforesaid, so as to be incapable of getting a Livelihood as aforesaid, shall, according to his Disability, receive a yearly Pension, to be raised out of the public Levy of this Province, during the Time of such Disability; the Party petitioning for such Pension or Allowance, procuring a Certificate from the County Court where he shall reside, that he is an Object of Charity, and deserves to have such Pension and Allowance. Soldiers maimed or wounded to have a Pension.

XIX. AND be it further Enacted, That Mr. William Murdock, Mr. James Dick, and Mr. Daniel Wolstenholme, shall be and are hereby appointed Agents for the Purposes of this Act, *viz.* for purchasing and providing such Cloaths as the Governor or Commander in Chief of this Province, for the Time being, shall direct, and all other Necessaries for the said Five Hundred Men, and paying all the Sums of Money arising due to them in Virtue of this Act, and all other Charges and Expences that may accrue in Raising, Conveying, Agents appointed.