

at the time in the service of the said states: For removing the same,

What persons are within the meaning of this act.

VIII. *Be it enacted*, That every commissioned and non-commissioned officer and private man, who, since the commencement of hostilities on the nineteenth of April, seventeen hundred and seventy-five, has been or shall be drawn forth for the common defence (and not for the service of any particular state) or who has turned out or shall hereafter turn out voluntarily to oppose the enemies of the said United States, upon any sudden attack or invasion, or upon any enterprize carried on under their authority, and in such service, has lost, or shall lose, a limb, or has been, or shall be, otherwise disabled as aforesaid, shall be deemed and taken within the meaning of this act, and entitled to the benefit thereof.

Officers, &c. capable of doing garrison duty, to be formed into a corps of invalids, &c.

IX. *And be it further enacted*, That all such officers and soldiers, who may be entitled to the provisions under this act, and shall be found to be capable of doing guard or garrison duty, may be formed into a corps of invalids, and subject to the said duty; and all officers, marines, and seamen, of the navy, who shall be entitled to the same provision, and shall be found capable of doing any duty on board the navy, or any department thereof, shall be liable to be so employed. And if any such commissioned or non-commissioned officer, or private man, who shall be found capable of doing guard or garrison duty, or any such officers, marines, and seamen, of the navy, who shall be found capable of doing some duty on board the navy, or some department thereof, shall refuse so to do, when lawfully required, such person, so refusing, shall be struck off the list of pensioners, unless the governor and council think that an exception should be made in his favour, and an exemption granted him from such service, a certificate of which opinion he shall produce previous to his receiving his said pension.

X. *And*, Whereas it may happen that many persons maimed or disabled as aforesaid, by reason of their falling into the hands of the enemy, the deaths of their officers and surgeons, or other accidents, may not have it in their power to procure their certificates required by this act:

Persons not able to procure certificates may apply to the governor, &c.

XI. *Be it therefore enacted*, That in such cases, application shall be made to the governor and council, by such maimed or disabled person as aforesaid, and, upon making it appear to them, by satisfactory proof, that he was maimed or disabled in the manner above mentioned, he shall be entitled to and receive a pension in like manner as if he produced the certificate before directed, and the governor and council, on such satisfactory proof being made to them, shall direct the justices of the said orphans court to draw on the treasurer for such pension as in the cases before mentioned.