

a jury, be convicted of any or either of the foregoing offences, such person or persons shall severally forfeit and pay for each and every offence, a sum not exceeding twenty pounds, or be liable to close imprisonment not exceeding the term of three months, and if such prosecution shall be carried on before two of his Majesty's Justices of the Peace, the person or persons who on the oath of one or more credible witnesses shall be convicted by such Justices of any or either of the said offences, shall severally forfeit and pay for each and every offence, the sum of five pounds, and in default of such payment such offender or offenders shall by such Justices be committed to jail, and closely confined for a term of twenty days, or until he, she or they, shall pay and discharge the said penalty of five pounds, together with the costs of prosecution.

LXXVII. *And be it further enacted*, That if any action shall be brought against any person or persons for any thing done in pursuance of this Act, such action or suit shall be commenced within six months next after the fact committed and not afterwards, and the defendant or defendants in any such action or suit may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon.

Prosecution for any thing done in pursuance of this Act.

LXXVIII. *And be it further enacted*, That so many sections of this Act, as the Governor, Lieutenant-Governor or Commander in Chief for the time being, shall from time to time order and appoint, together with the articles of war when made and published, shall be read so many times in each year, as the Governor, Lieutenant Governor or Commander in Chief shall direct.

Militia law &c. to be read.

LXXIX. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief for the time being, from time to time, to commission and appoint proper officers to inspect and command all the battalions of the militia throughout the province, or to limit the command and inspection of such officers to a particular number of battalions, or to the inspection and command of all the militia in particular divisions of the province, or particular counties or districts, as may be considered most convenient, fit and proper; and all such officers when so commissioned and published in general orders to the militia, shall be obeyed in all things lawful, by all persons who shall be so placed under their respective command.

Appointment of inspecting officers.

LXXX. *And be it further enacted*, That the Act made and passed in the thirty-fifth year of his present Majesty's reign, entitled, An Act to amend and reduce into one Act the several Acts now in being, relating to a militia in this province; and all the Acts of this province made in addition thereto, or in alteration or amendment of the said Act, shall be, and the same are hereby repealed.

Repeal of militia Acts.

LXXXI. *And be it further enacted*, That this Act shall continue and be in force for one year from the publication thereof; and from thence to the end of the next session of the General Assembly, and no longer.

Continuance of this Act.

CAP. II.

An ACT to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That whenever any regiment or detachment of his Majesty's forces, or of the militia forces of this province,

Troops or militia on a march.

vince, shall be ordered to march from one district of this province to another, it shall and may be lawful for the Justices of Peace inhabiting in or near any town, village or place, at or through which such forces shall arrive or pass, to quarter and billet the officers and soldiers of the forces so on their march as aforesaid in inns, taverns and ale houses, and where there shall not be found sufficient room in such inns, taverns and ale houses, then to quarter and billet the remainder of such officers and soldiers in the houses of persons selling spirituous liquors by retail, and in the houses of persons who have, within one month previous to the marching of such forces, kept an inn, tavern or ale house, and all persons upon whom such forces shall be quartered and billeted as aforesaid, shall and are hereby required to furnish the said officers and soldiers so billeted on them as aforesaid with lodging, and good and sufficient provisions consisting of bread, flesh and vegetables, and the officers commanding each and every detachment of his Majesty's forces, or of the militia, shall give to the person or persons on whom such detachments shall have been so quartered and billeted, receipts or certificates of the number of meals furnished to his detachment, which receipts or certificates shall entitle such person or persons to receive, as is herein after mentioned, one shilling for every meal, and three pence for every night's lodging which shall have been furnished as aforesaid; and if any militia officer shall give any certificate or receipt for a greater number of meals or nights' lodgings than shall have been actually and *bona fide* received for the use of his detachment or command, such militia officer on conviction thereof before a general court martial, shall be cashiered, and shall moreover forfeit and pay a fine of fifty pounds, to be recovered by bill, plaint or information, in any of his Majesty's Courts of Record in this province, one half whereof shall go to the informer, and the remainder shall be paid into the treasury of the province, for the use of the province.

II. *And be it further enacted*, That it shall be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of his Majesty's Council, to draw by warrant or warrants on the treasury of the province for the payment of all such meals of provisions, and nights' lodgings, as shall have been furnished to the militia forces on their march, and for which receipts or certificates shall be produced as aforesaid: and that whenever a route shall be granted by the Governor, Lieutenant-Governor or Commander in Chief, for the march of any body of his Majesty's regular troops, who are to be removed from one garrison or post to another within the province, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw by warrant on the treasury for so much money as shall be sufficient to pay the full price of the soldier's dinner, to be estimated at the rate aforesaid for each soldier, every day he shall be on such march. *Provided*, That the sum to be drawn for in one year for such service, shall on no account exceed the sum of five hundred pounds; the payment to be made agreeable to such regulations and certificates as the Governor, Lieutenant-Governor, or Commander in Chief shall from time to time make, touching the premises, such regulations and the forms of such certificates to be delivered, with said the route, to the commanding officer of the party to be removed.

III. *And be it further enacted*, That the receipts or certificates of the number of meals and nights' lodgings, which shall be furnished to any regiment or detachment of his Majesty's troops, quartered and billeted on their march as aforesaid, and for which the payment is not herein otherwise provided, shall entitle the person or persons who shall have furnished the same, to receive payment therefor from the officer who shall grant such receipts

Billeting.

Allowance for billeting.

False receipt for billeting.

Payment of billeting receipts.

Persons providing lodgings, &c. entitled to pay from officer commanding regiment.

receipts or certificates, or from the person or persons appointed by the Commander in Chief to make payment for the same.

IV. *And be it further enacted,* That in places and situations where there may not be a sufficient number of public inns, taverns, ale houses and licensed shops, whereon to billet the whole of any detachment of soldiers or militia that may be on a march, it shall and may be lawful to billet a part of such detachment on other housekeepers in the discretions of the magistrates giving, billets for the same.

Where there are not a sufficient number of inns for billeting troops.

V. *And be it further enacted,* That it shall and may be lawful for any two of his Majesty's Justices of the Peace for the county where any march of his Majesty's regular forces or of the militia forces is to commence, or for the county through or to which any such march is to be continued, upon the application of the commanding officer of such forces, and a route signed by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to order a suitable number of horses, carts and waggons to be furnished for conveying upon such route, the baggage of such forces, and to determine what persons shall provide the same, and the person or persons who shall accordingly carry and convey any such baggage shall be entitled to receive payment for the same, at the rate of one shilling per mile for the hire of one horse and cart, with one suitable driver, to carry a load not exceeding five gross hundred weight, for a distance not to exceed twenty miles, and for every additional horse or horses to be added to the draught of such cart, nine pence more per mile for each horse. *Provided* the additional load to be carried, shall not exceed five gross hundred weight for each additional horse. And if any such waggons or carts so employed to carry any baggage as aforesaid, shall be required and ordered by the commanding officer of any detachment of such forces, to halt at any particular stages or places, and for that cause shall be delayed in their route, such detention shall be computed and paid for at the rate of two shillings and six pence for every hour of the day such detention may last; and the commanding officer shall give certificates to the respective owners or carriers of such waggons and carts, of the weights of the baggage, and the distance which the same shall have been so carried and conveyed by them, specifying also therein, the time and cause of the detention of such waggons or carts, according to which receipts, the owners of such horses, waggons or carts, shall be entitled to demand and receive payment forthwith of the officer commanding such detachment.

Horses, carts, &c.

VI. *And be it further enacted,* That if any person or persons shall refuse or neglect to furnish any such horses, carts or waggons, upon the order of any two of his Majesty's Justices of the Peace given as aforesaid, without a reasonable excuse to be allowed by said Justices, on complaint thereof made by the said Justices or either of them, to the next Court of General or Quarter Sessions of the Peace for such county, the said Court shall order the party complained against, to be brought before them, and shall hear and determine such complaint; and if the person or persons so complained against, shall be convicted of wilfully disobeying the said order, he or they shall severally forfeit and pay forty shillings for such offence; to be levied by warrant of distress and sale of the goods and chattels of such offender, and be paid to the officer commanding the militia in such county or district, and applied to the services herein after mentioned. And if any officer commanding such detachment shall force or constrain any waggon or cart to travel more than twenty miles, or one day's journey, or shall refuse or neglect to discharge the same in due time to return home, or shall overload or suffer to be overloaded, any such waggon or cart, either by permitting soldiers, their wives or

Persons refusing to furnish horses, &c.

children,

children, to ride therein or otherwise, or shall force waggons, carts or horses, from the owners thereof, by themselves, servants or soldiers, every such officer shall forfeit the sum of forty shillings, and be liable also to the party injured for his reasonable damages; and no loaded waggon or cart passing from town to town, nor any horse or horses employed in travelling by or for the owner, shall be liable to be taken or constrained to transport such baggage as aforesaid.

Recovery and appli-
cation of fines.

VII. *And be it further enacted*, That all fines and forfeitures recovered by virtue of this Act, shall be applied to the repairing of the arms, and to the providing and repairing of drums or colours, or for other contingent expences of the militia, in such manner as shall be recommended by the field officers and captains of the militia of such county or district at their annual meetings,

Continuance of this
Act

VIII. *And be it further enacted*, That this Act shall continue and be in force for one year from the publication thereof; and from thence to the end of the next Session of the General Assembly, and no longer.

CAP. III.

An ACT to impose and appropriate an additional Duty on all Wine, hereafter to be imported into this Province.

WHEREAS his Majesty has been pleased to recommend that the Assembly of this Province should enable his Majesty to make a provision out of the funds of this Province, for the honorable retirement of Sir JOHN WENTWORTH, the late Lieutenant-Governor; in compliance therefore, with his Majesty's Royal Recommendation:

Duty on wine.
imported.

I. *Be it enacted by the Lieutenant Governor, Council and Assembly*, That there be granted and paid to his Majesty, his heirs and successors, an additional duty of six pence per gallon on all Wines hereafter to be imported into this Province, to be raised, levied, collected and paid, by the ways, means, methods, rules, provisions and directions, and under the same penalties, and by the collectors prescribed, mentioned, named and expressed, in and by an Act, entitled, An Act for granting to his Majesty certain duties on wine, rum and other distilled spirituous liquors, molasses, coffee and brown sugar, for the support of his Majesty's government, and for promoting the agriculture, commerce and fisheries of this province.

Drawback on export.

II. *Provided always, and be it enacted*, That if any wine, hereafter to be imported into this province, and upon which the duty hereby imposed shall be paid or secured to be paid, shall be exported from this province, that then the duty of six pence, hereby imposed, shall be repaid to the person or persons exporting the same, without any deduction whatever.

Application of duty.

III. *And be it further enacted*, That it shall be lawful for his Majesty, his heirs and successors, out of the monies to be raised by virtue of this Act, to appropriate any sum, not exceeding five hundred pounds, sterling money of Great-Britain, per annum, as an annuity or pension, for Sir JOHN WENTWORTH, during his natural life, if his Majesty shall see fit.

Insufficiency of duty.

IV. *And be it further enacted*, That if the monies to be raised by virtue of this Act, in any year or years, while the same shall be in force, shall happen to fall short of the sum of five hundred pounds, sterling, it shall be lawful for his Majesty, his heirs and successors, to apply any other monies remaining or being in the Treasury of the Province,