

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the Eighteenth day of November, 1806, and continued by several Prorogations to Thursday the Nineteenth day of May, 1808; in the Forty-Eighth Year of the Reign of our Sovereign Lord George the Third, by the Grace of God of the United Kingdom of Great-Britain, and Ireland, King, Defender of the Faith, &c. being the Third Session of the Ninth General Assembly, convened in the said Province.

48 George III – Chapter 2 (Session 1)

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, 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, 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 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 discretion of the magistrates giving billets for the same.

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 wagons 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 wagons 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 wagons 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 wagons or carts, according to which receipts, the owners of such horses, wagons or carts, shall be entitled to demand and receive payment forthwith of the officer commanding such detachment.

VI. And be it further enacted, that if any person or persons shall refuse or neglect to furnish any such horses, carts or wagons, 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 wagon 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 wagon or cart, either by permitting soldiers, their wives or 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.

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.

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.