

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1839.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1839.

2 Victoria – Chapter 27

**An Act for the relief of old Soldiers of the Revolutionary War and their Widows. Passed 23d March 1839.**

Whereas it is deemed expedient that some provision should be made by law for such and so many of the Soldiers of the Revolutionary War in America as may be residing in this Province, and are in indigent or distressed circumstances, and also for indigent or distressed Widows of Soldiers who may have served in the same war;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the sum of ten pounds per year shall be paid to every old Soldier of such Revolutionary War, and to every Widow of any Soldier of such Revolutionary War, who, at the time of the passing of this Act, may be resident within this Province, and who is in distressed or indigent circumstances: Provided always, That such Widow shall have been married to such Soldier before the time of the passing of this Act, and shall also be a widow at the time of making her application as hereinafter mentioned.

II. Provided always, and be it further enacted, That whenever any application shall be made by any old Soldier under the provisions of this Act, in order to entitle himself to the aforesaid sum of ten pounds, he shall take an oath to be set down in writing, and shall subscribe his name or affix his mark thereto, which oath shall be in the form following, that is to say: "I A. B. of \_\_\_\_\_ in the County of \_\_\_\_\_, aged \_\_\_\_\_ years, do swear that I served in the Revolutionary War in America in the \_\_\_\_\_ Regiment (or as the fact may be), that I was attached to a Company commanded by \_\_\_\_\_, that I was lawfully discharged from the service, at \_\_\_\_\_ in the year \_\_\_\_\_, that I now reside at \_\_\_\_\_, in the County of \_\_\_\_\_, and that I did actually reside in this Province at the time of the passing of an Act made in the second year of the reign of Her Majesty Queen Victoria, intituled 'An Act for the relief of old Soldiers of the Revolutionary War and their Widows,' and that I am not directly or indirectly in the receipt of any pension from Her Majesty's Government, and that I am in indigent circumstances, having no sufficient property by or from which I can support or maintain myself, and that I have not put out of my hands, power or disposal any property in order to secure or provide for my support or maintenance."

III. Provided also and be it further enacted, That whenever any application shall be made By any Widow of a Soldier of the Revolutionary War for relief under the provisions of this Act, in order to entitle herself to the aforesaid sum of ten pounds, she shall take an oath to be set down in writing, and shall subscribe her name or affix her mark thereto, which oath shall be in the form following, that is to say: "I A. B. of \_\_\_\_\_ the County of \_\_\_\_\_, aged \_\_\_\_\_ years, do swear that in the year \_\_\_\_\_ at \_\_\_\_\_

\_\_\_\_\_ I was lawfully married to \_\_\_\_\_,  
who served as a \_\_\_\_\_ in the Revolutionary War in America, that  
he was attached to the \_\_\_\_\_ Regiment (or as the fact may be), that he died  
(or was killed) at \_\_\_\_\_ in the year \_\_\_\_\_, that I now reside at  
\_\_\_\_\_, in the County of \_\_\_\_\_, that I did  
actually reside in this Province at the time of the passing of an Act made in the second year of the  
Reign of Her Majesty Queen Victoria, intituled 'An Act for the relief of old Soldiers of the  
Revolutionary War and their Widows,' and that I was married to the said \_\_\_\_\_  
before the passing of the said Act, and that I am now and have been for the last twelve months a  
Widow, and in indigent circumstances, having no sufficient property by or from which I can  
support or maintain myself, and that I have not put out of my hands, power or disposal any  
property, in order to secure or provide for my support or maintenance."

IV. And be it further enacted, That any one of Her Majesty's Justices of the Peace near to the  
place where the party applicant shall or may reside, is hereby authorized and required to  
administer the oath hereinbefore mentioned, and shall personally examine the party appearing  
before him to depose to the same, and if on such examination the said Justice shall be satisfied  
that the claim is just and fair, according to the true intent and meaning of this Act, he shall and  
may grant a certificate under his hand to be annexed unto or endorsed upon the said affidavit,  
setting forth that he has examined the deponent, and that he verily believes the several matters  
and things set forth in his or her affidavit are true.

V. And be it further enacted, That the said affidavit and certificate shall be filed in the office of  
the Clerk of the Sessions of the County in which the same shall be made, on or before the first day  
of the General Sessions of the Peace next ensuing the date thereof, at which term the said Clerk  
shall exhibit the same to the Justices then and there assembled, and the several Courts of General  
Sessions of the Peace in the respective Counties are hereby authorized and empowered to settle  
all claims for relief made under the provisions of this Act, on the affidavit and certificate  
hereinbefore required, and shall certify in a general schedule all such claims as they shall allow,  
and shall transmit the same to the office of the Secretary of the Province.

VI. And be it further enacted, That it shall and may be lawful for His Excellency the Lieutenant  
Governor or Commander in Chief for the time being, by and with the advice and consent of Her  
Majesty's Executive Council, to draw by warrant on the Treasury of the Province the amount of  
such Schedule in favor of the Clerk of the Peace of the County, to paid by him paid and distributed  
to the respective claimants.

VII. And be it enacted, That the first yearly sum applied for by any Soldier or Widow under the  
provisions of this Act, shall be for the year ending on the day of the making of the affidavit  
hereinbefore mentioned.

VIII. Provided always and be it enacted, That no Soldier or Widow for whom any special grant  
may be made during the present Session of the General Assembly, shall be entitled to the benefit

of the provisions of this Act until after the first day of November next, and then yearly from that period.

IX. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty two, and no longer.