

or districts within this province, every taverner or innholder within such town or district within this province shall receive and entertain within their respective houses and outhouses, as many of such forces as can therein be received and accommodated; and if such forces shall not be provided with victuals, every such taverner or innholder shall furnish them with diet and small beer, payment or allowance to be made therefor as follows; viz^[t], for one commission officer of foot under the degree of a captain, for his diet and small beer, per diem, one shilling sterling, and for each foot soldier[’s] diet and small beer, sixpence sterling per diem, and so in proportion for part of a day.

And be it further enacted,

Rates of quarters.

Complaint made against any taverner, innholder, &c.

[SECT. 2.] That upon complaint made to any justice of the peace for any of the counties in this province, respectively, that any taverner or innholder doth refuse to receive and entertain any of his majesty’s forces as aforesaid, such justice shall forthwith make enquiry into the grounds of such complaint, and shall thereupon, within two hours, determine and order how many of such forces shall be received into the house or outhouses of such taverner or innholder, and how many shall be furnished with diet and small beer; and every taverner or innholder refusing or neglecting to receive and entertain such and so many of the forces, shall for each offence forfeit and pay the sum of ten pounds sterling.

Penalty.

And be it further enacted,

Governor with the advice of the council to authorize persons to provide quarters for his majesty’s forces in any town.

[SECT. 3.] That when and so often as, during the continuance of this act, any of his majesty’s regular forces shall, for the defence of his dominions, or for prosecuting measures against his majesty’s enemies, be ordered into any town or towns within this province, it shall and may be lawful for the governo[n]r, with the advice of the council, to appoint, authorize or empower any person or persons to agree for and take up such and so many houses and buildings in or near such town or towns as shall be judged sufficient and necessary, together with the barracks already provided at Castle William, to receive and accommodate the whole number of forces that may be so ordered; or if need be, to impress so many uninhabited tenements in or near such town or towns as shall be necessary as aforesaid, and also to provide such barrack utensils and necessaries as shall be judged reasonable, the charge thereof to be advanced and paid out of the public[k] treasury, and an account thereof to be transmitted to the general of his majesty’s forces for a reimbursement, or to the agent of the province in England, in order to his solliciting the repayment of the same.

Limitation.

[SECT. 4.] This act to be and continue in force from the thirteenth day of October instant, to the last day of March, one thousand seven hundred and fifty-nine, and no longer. [*Passed October 12; published October 14.*]

CHAPTER 9.

AN ACT IN FURTHER ADDITION TO THE SEVERAL ACTS OF THIS PROVINCE FOR THE REGULATING THE MILITIA.

Preamble.

1757-58, chap. 18,
§ 1.

WHEREAS by law the captain or chief officer of each military foot company, and also of each troop of horse within this province are obliged to instruct and employ their respective companies and troops in military exercises on the last Monday of this instant October, and the Tuesday following the same Monday; and a great number of the soldiers being gone into the war, and probably will not be returned before said days,—

Be it therefore enacted by the Govern[er], Council and House of Representatives,

That no captain or chief officer of any foot company or troop of horse shall be held and obliged to call together, instruct or employ his company or troop in military exercises on the last Monday of this instant October or on the Tuesday following said Monday, and no foot soldier nor trooper shall be liable to any penalty for not appearing in arms on either of those days, respectively. *[Passed and published October 14.*

Captains or chief officers of the militia exempted from mustering their companies.