

pany in military exercises, either on the second or third Mondays in April next, the first Monday in May, the first Tuesday in June, the last Monday in October next, and the Tuesday following the same Monday. And no captain or chief officer of any troop of horse shall be held or obliged to call his troop together either on the second or third Mondays of April next, nor on the last Monday of October next, or the Tuesday next following the same Monday; and no foot soldier or trooper shall be liable to any penalty for not appearing in arms on either of the days aforesaid.

Provided always,—

And it is hereby declared,

[SECT. 12.] That nothing in this act shall be construed or understood to exempt any officer or soldier in horse or foot from the duties and penalties required by law for non-appearance in case of an alarm on either of the days aforesaid. [*Passed March 28**; *published March 14, † 1759.* Proviso.

CHAPTER 22.

AN ACT IN ADDITION TO AN ACT INTITULED “AN ACT FOR THE SPEEDY LEVYING OF SOLDIERS FOR AN INTENDED EXPEDITION AGAINST CANADA.”

WHEREAS provision is already made by law for the officers of the militia speedy raising the levies agreed by this government for the intended invasion of Canada, but unless some further provision be made many desertions may happen, and great delay and inconveniencie may arise in marching the men so raised; for prevention whereof,— Preamble.
1758-59, chap. 21.

Be it enacted by the Governour, Council and House of Representatives,

That if any officer of this province that shall have received a commission and engaged in said service, shall refuse to obey the orders given him by the captain-general of this province, or his commanding officer, or shall not duly observe the same by punctually attending the militia officers to receive the men after they have raised and mustered them, or not march them as directed and required by the orders given them in manner as aforesaid, such expedition officers, unless unavoidably prevented, for such offence committed in this province, shall, if a field officer, forfeit and pay the sum of one hundred pounds; if a commission officer, the sum of fifty pounds, to be recovered by action or information, the one moiety to him that shall inform or sue for the same, the other moiety to be to and for the use of this government. [*Passed March 28; published March 22, † 1759.* Penalty for expedition officers not obeying orders, &c.

CHAPTER 23.

AN ACT SUBJECTING THE INHABITANTS OF THE ISLAND OF NANTUCKET TO AN ASSESSMENT TOWARDS THE CHARGE OF DEFENDING HIS MAJESTY'S TERRITORIES, IN LIEU OF THEIR PERSONAL SERVICE.

WHEREAS the raising of men for his majesty's service upon the island of Nantucket[t], within this province, is attended with very great difficulties, by reason that the said island is situated at a considerable dis- Preamble.
1755-56, chap. 32.

* This chapter was passed to be enacted March 14, but the record shows that it was not signed until the 28th.

† According to the printed acts.