

CHAPTER 24.

AN ACT TO ENABLE THE WIDOWS OF SUCH NON-COMMISSION OFFICERS AND SOLDIERS AS SERVED IN THE PAY OF THIS PROVINCE UNDER THE GENERAL AND COMMANDER-IN-CH[EIF] OF HIS MAJESTY'S FORCES IN NORTH AMERICA, IN THE YEARS 1757 AND 1758, AND ARE SINCE DECEASED INTESTATE, TO RECEIVE THE WAGES DUE TO SUCH OFFICERS OR SOLDIERS WITHOUT ADMINISTRATION UPON THEIR ESTATES.

Be it enacted by the Governo[u]r, Council and House of Representatives,

[SECT. 1.] That it shall and may be lawful for the province treasurer, and he is hereby directed to pay to the widow of any non-commission officer or soldier who served in the pay of this province under the general and commander-in-ch[ief] of his majesty's forces in North America any time in the years 1757 and 1758, and since deceased intestate, the wages due to such officer or soldier, and the receipt given by such widow shall be a discharge to the province treasurer, and such widow shall not be liable to any action or suit for any sum received by virtue of this act.

Treasurer to pay widows of non-commission officers and soldiers the pay due, &c.

And be it further enacted,

[SECT. 2.] That if administration shall be granted upon the estate of any deceased officer or soldier whose widow shall have received his wages by virtue of this act, the judge of probate granting such administration, shall, and he is hereby required, in passing upon the accounts of the administrator, to consider and have regard to the sum so received as an allowance, either in part or in whole, as such judge shall think proper, of the necessary implements of household stuff allowed by law to widows in cases where provision is not otherwise made for that purpose. [*Passed March 15,* published March 22, 1759.*]

Judges of probate empowered to make allowance to the widows of non-commission officers and soldiers, &c.

CHAPTER 25.

AN ACT TO PREVENT SOLDIERS AND SEAMEN IN HIS MAJESTY'S SERVICE FROM BEING ARRESTED FOR DEBT.

For the more speedy and effectual levying of soldiers, and to prevent their being arrested for debt,—

Preamble.
1746-47, chap. 2.
1753-54, chap. 41,
§§ 17, 18, 19.

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

[SECT. 1.] That no person who is or shall be engaged in his majesty's service, and in the pay of this province, either as a non-commission officer, private soldier or seaman, shall, during his continuance therein, be liable to be taken out of his majesty's service, by any process or execution, unless for some criminal matter, for any sum under the value of ten pounds sterling, nor for any greater sum, until oath shall be made by the plaintiff or plaintiffs before one of the justices of the court out of which the execution or process shall issue, or before two of the justices of the peace, *quorum unus*, in the county where the plaintiff may happen to be, that, to his or their knowledge there is *bonâ fide* due from such person as the process or execution is desired to issue against, the sum of ten pounds sterling at least, and was due on the

Soldiers and seamen in his majesty's service not liable to be arrested.

Oath to be made before two justices, &c.

• March 28, according to the record.

Body of soldier
or seaman how
to be discharged.

first day of March, instant; and every non-commission officer, private soldier or seaman, whose body, contrary to the intent of this act, shall be arrested by mean process or execution after his engaging in said service, may and shall be set at liberty by two justices of the peace, *quorum unus*, in the county where such non-commission officer, private soldier or seaman is taken, upon application made by him or his superior officer, and proof of his being entred into the service aforesaid.

Provided, nevertheless, and it is the true intent and meaning of this act,—

Proviso.

[SECT. 2.] That no such non-commission officer, private soldier or seaman as aforesaid shall have his person exempted from arrests for any sum or sums due for the publick taxes for the year one thousand seven hundred and fifty-eight, anything in this act to the contrary notwithstanding.

Limitation.

[SECT. 3.] This act to be and continue in force from the seventeenth day of March instant, to the first day of November next, and no longer. [*Passed March 17; * published March 22, 1759.*]

• CHAPTER 26.

AN ACT PROVIDING FOR THE SUPPORT AND MAINTAINANCE OF SUCH FRENCH PRISONERS AS MAY BE TAKEN OR SENT IN BY THE PROVINCE SHIP KING GEORGE.

Preamble.

WHEREAS this government were at great expence in supporting such French prisoners as were in and belonged to the several prize ships taken by the ship King George the last year, and the commander, officers and seamen belonging to said ship rec[ie][e]ved the whole benefit and advantage of said prizes over and above the pay allowed them by the province, and as it is but just and reasonable that the French prisoners taken by said ship King George should be maintained out of the captures made by her,—

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

Expense of
prisoners
brought or sent
in by the prov-
ince ship King
George to be
paid out of the
produce of the
prizes.

That from and after the publication of this act, and during the continuance of the present war with France, the whole expence of the support and maintainance of all prisoners brought or sent into this province that shall hereafter be taken by said ship King George, privateers excepted, shall be paid out of the produce of the prizes, goods or effects taken by said ship, and the commander, officers and seamen belonging to her and intitled to said produce shall be answerable for such expence. [*Passed March 14; * published March 22, 1759.*]

CHAPTER 27.

AN ACT FOR FURTHER CONTINUING THE ACT [E][I]NTITLED “AN ACT PROVIDING FOR THE RECEPTION AND ACCOM[M]ODATION OF HIS MAJESTY’S FORCES WITHIN THIS PROVINCE.”

Preamble.

1758-59, chap. 8.

WHEREAS an act made and passed in the present year of his majesty’s reign, intit[u]led “An Act providing for the reception and accom[m]odation of his majesty’s forces within this province,” is near expiring,—

* March 28, according to the record.