

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.

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

That the before mentioned act, and every article, clause, matter and thing therein contained, is hereby continued, and it shall be and remain in full force until the first day of June, one thousand seven hundred and fifty-nine, and no longer. [*Passed March 28; published March 22,* 1759.*]

All matters and things contained in said act to be continued till June 1, 1759.

CHAPTER 28.

AN ACT FOR SUPPLYING THE TREASURY WITH THE SUM OF FORTY-SIX THOUSAND POUNDS.

WHEREAS this court have agreed to raise four thousand six hundred men to co-operate with his majesty's forces for the reduction of Canada, and it is necessary that there be a speedy supply of money for the levying and cloathing the same,—

Preamble.

See chap. 21, ante, and note.

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

[SECT. 1.] That the treasurer of this province be and he hereby is directed and impowered to borrow from such person or persons as shall be willing to lend the same, a sum not exceeding the sum of forty-six thousand pounds, in Spanish mill'd dollars, at six shillings each, or in coined silver, sterling alloy, at six shillings and eightpence per ounce; and for the sum so borrowed, the treasurer shall give a receipt and obligation in the form following; viz^d.,—

Treasurer empowered to borrow £46,000.

Province of the Massachusetts Bay, the day of , 1759.
Received of the sum of , for the use and service of
the province of the Massachusetts Bay; and in behalf of said province, I do hereby promise and oblige myself and successors in the office of treasurer, to repay the said or order, the day of , one thousand seven hundred and , the aforesaid sum of , in coined silver, of sterling alloy, at six shillings and eightpence per ounce, or in Spanish mill'd dollars, at six shillings each, with interest at the rate of six per cent per annum.

Form of treasurer's receipt.

Witness my hand,

H. G.

—and no receipt or obligation shall be given for less than six pounds.

And be it further enacted,

[SECT. 2.] That the aforesaid sum of forty-six thousand pounds, when received into the treasury, shall be issued out by the governour or commander-in-chief, by and with the advice of the council, in the manner and for the purposes following; viz^d., the sum of thirty thousand pounds, part of the said sum of forty-six thousand pounds, for the paying the bounty to the men that shall enlist on or before the sixth day of April next for the expedition against Canada, pursuant to the order of this court; and the further sum of nine thousand pounds, part of the aforesaid sum of forty-six thousand pounds, shall be applied for the payment of the commissary's disbursements in purchasing necessary supplies for the forces that shall go in said expedition, hiring of vessels and transporting goods; and the further sum of two thousand pounds, part of the aforesaid sum of forty-six thousand pounds, shall be applied for the payment of the forces that were sent on the alarm for the relief of Fort William Henry, in the year one thousand seven hundred and fifty-seven; and the further sum of two thousand pounds, part of the aforesaid sum of forty-six thousand pounds, shall be applied

£30,000 for paying bounty to enlisted men.

£9,000 for commissary's disbursements, &c.

£2,000 for paying of such who went to the relief of Fort William Henry.

£2,000 for hiring men in the room of Quakers.

* According to the printed acts.