

allowance of eight shillings per week be now understood and construed to intend eight shillings lawful money, it would prove unequal and injurious,—

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

Prisoners, how  
to be detained,  
and when re-  
leased.

[SECT. 1.] That upon any prisoner's having taken the oath, and certificate having been made thereof as by the aforesaid act for the rel[ei][ie]f of poor prisoners for debt is provided, and the creditor or creditors, their agent or attorney, executor or administrator, having given security to the goaler or keeper of the prison where such prisoner now is or hereafter may be, for the payment of two shillings and sixpence per week in lawful money or bills of credit of this province equivalent thereto, for and towards the support of such prisoner while he or she shall be detained in prison, the said goaler or keeper shall detain and keep in close custody such prisoner so long as said sum shall be paid, but upon failure of payment thereof shall set him or her at liberty; and the several goalers or prison-keepers in this province are required to govern themselves accordingly.

Limitation.

[SECT. 2.] This act to continue and be in force for and during the term of the continuance of the aforementioned act for the rel[ei][ie]f of poor prisoners for debt. [*Passed December 26, 1744; published January 9, 1744-45.*]

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## CHAPTER 19.

AN ACT TO ENCOURAGE THE [E][I]NLISTING SOLDIERS INTO HIS MAJESTY'S SERVICE, IN THE INTENDED EXPEDITION AGAINST CAPE BRETON.

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

Volunteers in  
his majesty's  
service, not to  
be arrested, &c.

[SECT. 1.] That whoever has entred or shall enter or [e][i]nlist into his majesty's service as a voluntier in the intended expedition against the French settlements [of] [at] Cape Breton, shall not be liable to be taken out of his majesty's service aforesaid by any process or execution, unless for some criminal matter, for any sum whatsoever; and every soldier whose body shall be arrested by mean process or execution after his [e][i]nlistment into said service, may and shall be set at liberty by two justices of the peace, *quorum unus*, in the county where such soldier is taken, upon application made [by] him or his superio[ur] officer, upon proof made of his [e][i]nlistment into the service afores[ai]<sup>d</sup>.

Proviso.

*Provided, always,—*

[SECT. 2.] This act shall not be construed to stay the process of any creditor of such [e][i]nlisted soldier, after his return from the said expedition, or his dismission from the s[ai]<sup>d</sup> service; nor at all to stay any process or execution against a deficient constable or collector, for any taxes committed to him to collect. [*Passed January 30; published February 4, 1744-45.*]