

## C A P. XIV.

An Act to explain and amend an Act, made in the fourteenth Year of his present Majesty, intituled, *An Act to amend an Act, made in the twenty-second Year of the Reign of his late Majesty King George the Second, intituled, An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Pressers, and of all Persons employed in the said several Manufactures; and for the better Payment of their Wages.*

Preamble.  
Act 14 Geo. III.

WHEREAS by an Act, made in the fourteenth Year of the Reign of his present Majesty (intituled, *An Act to amend an Act, made in the twenty-second Year of the Reign of his late Majesty King George the Second, intituled, "An Act for the more effectual preventing of Frauds and Abuses committed by Persons employed in the Manufacture of Hats, and in the Woollen, Linen, Fustian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Pressers, and of all Persons employed in the said several Manufactures; and for the better Payment of their Wages);"* certain Penalties therein mentioned are inflicted on Persons convicted of reeling false or short Yarn, but no Provision is made for Recovery of the said Penalties, or of the Costs and Charges attending such Prosecutions, by means whereof the good Purposes intended by the said Act are rendered ineffectual; may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the several pecuniary Penalties inflicted by the said Act upon Persons who shall be convicted of reeling false or short Yarn, together with the Costs and Charges attending such Prosecutions, shall (in case the same are not paid according to the Order of the Justice or Justices before whom such Person or Persons shall be so convicted) be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant or Warrants under the Hand and Seal; or Hands and Seals, of the Justice or Justices before whom such Offender or Offenders shall be so convicted, together with the Costs and Charges of making such Distress and Sale; and if no Goods and Chattels belonging to such Offender or Offenders can be found sufficient to answer the said Penalties, together with the Costs and Charges of such Distress and Sale, then such Justice or Justices shall and may cause such Offender or Offenders to be committed to the common Gaol, or House of Correction, of the County, Riding, Division, City, Liberty, Town, or Place, where such Offence shall be committed, there to remain without Bail or Mainprize for the Space of one Calendar Month, unless such Penalties and Forfeitures, and the reasonable Charges of such Distress and Sale, shall be sooner paid and satisfied.

After passing this Act, the several Penalties inflicted by Act 14 Geo. III. on Persons reeling short Yarn, &c. to be levied by Distress of the Offenders Goods; and if no Goods sufficient can be found, they are to be committed for one Month.

If Persons think themselves aggrieved, they may appeal to the Sessions;

and the Determination of the Justices to be final.

II. Provided nevertheless, and be it further enacted, That if any Person or Persons shall think him, her, or themselves aggrieved by any Thing done in pursuance of this Act, it shall and may be lawful for such Person or Persons to appeal to the Justices of the Peace, at the next General or Quarter Sessions of the Peace to be holden for the County, Riding, City, or Place, where the Cause of Complaint shall arise; and the Justices, in their said General or Quarter Sessions, are hereby required to hear and determine the Matter of every such Appeal, and to make such Order therein as to them shall seem reasonable, and according to the true Intent and Meaning of this Act; which Determination of the said Justices in Sessions, on every and any such Appeal, shall be and are hereby declared to be final and conclusive.

## C A P. XV.

An Act to amend and render more effectual in his Majesty's Dominions in *America* an Act, passed in the present Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters, and for extending the Provisions of the said Act to his Majesty's Marine Forces in America.*

Preamble.

WHEREAS in and by an Act, made in this present Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, several Regulations are made and enacted for the better Government of the Army and their observing strict Discipline, and for providing Quarters for the Army and Carriages on Marches and other necessary Occasions, and inflicting Penalties on Offenders against the same Act, and for many other good Purposes therein mentioned; but the same may not be sufficient for the Forces that may be employed in his Majesty's Dominions in *America*: And whereas, during the Continuance of the said Act, there may be Occasion for marching and quartering of Regiments and Companies of his Majesty's Forces in several Parts of his Majesty's Dominions in *America*: And whereas the Publick Houses and Barracks in his Majesty's Dominions in *America* may not be sufficient to supply Quarters for such Forces: And whereas it is expedient and necessary that Carriages and other Conveniences upon the March of Troops in his Majesty's Dominions in *America* should be supplied for that Purpose; be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons,

mons, in this present Parliament assembled, and by the Authority of the same, That for and during the Continuance of this Act, and no longer, it shall and may be lawful to and for the Constables, Tithingmen, Magistrates, and other Civil Officers of Villages, Towns, Townships, Cities, Districts, and other Places, within his Majesty's Dominions in *America*, and in Default or Absence, for any one Justice of the Peace inhabiting in or near any such Village, Township, City, District, or Place, and for no others, and such Constables, Tithingmen, Magistrates, and other Civil Officers aforesaid, are hereby required to quarter and billet the Officers and Soldiers in his Majesty's Service in the Barracks provided by the Colonies; and if there shall not be sufficient Room in the said Barracks for the Officers and Soldiers, then, and in such Case only, to quarter and billet the Residue of such Officers and Soldiers (for whom there shall not be Room in such Barracks) in Inns, Livery Stables, Alehouses, Victualling-houses, and the Houses of Sellers of Wine by Retail to be drank in their own Houses or Places therunto belonging, and all Houses of Persons selling of Rum, Brandy, Strong Waters, Cyder, or Metheglin, by Retail, to be drank in Houses; and in case there shall not be sufficient Room for the Officers and Soldiers in such Barracks, Inns, Victualling and other Publick Alehouses, that in such and in no other Case, and upon no other Account, it shall and may be lawful for the Governor and Council of each respective Province in his Majesty's Dominions in *America*, to authorise and appoint, and they are hereby directed and empowered to authorise and appoint, such proper Person or Persons as they shall think fit, to take, hire, and make fit, and in Default of the said Governor and Council appointing and authorising such Person or Persons, or in Default of such Person or Persons so appointed neglecting or refusing to do their Duty, in that Case it shall and may be lawful for any two or more of his Majesty's Justices of the Peace, in or near the said Villages, Towns, Townships, Cities, Districts, and other Places, and they are hereby required to take, hire, and make fit for the Reception of his Majesty's Forces, such and so many uninhabited Houses, Out-houses, Barns, or other Buildings, as shall be necessary to quarter therein the Residue of such Officers and Soldiers for whom there should not be Room in such Barracks and Publick Houses, as aforesaid, and to put and quarter the Residue of such Officers and Soldiers therein.

II. And it is hereby declared and enacted, That there shall be no more Billets at any Time ordered than there are effective Soldiers present to be quartered therein: And in order that this Service may be effectually provided for, the Commander in Chief in *America*, or other Officer, under whose Orders any Regiment or Company shall march, shall, from Time to Time, give, or cause to be given, as early Notice as conveniently may be, in Writing, signed by such Commander or Officer, of their March, specifying their Numbers and Time of marching as near as may be, to the respective Governors of each Province through which they are to march, in order that proper Persons may be appointed and authorised, in pursuance of this Act, to take up and hire, if it shall be necessary, uninhabited Houses, Out-houses, Barns, or other Buildings, for the Reception of such Soldiers as the Barracks and Publick Houses shall not be sufficient to contain or receive.

III. And whereas Doubts have been entertained, whether Troops can be quartered otherwise than in Barracks, in case Barracks have been provided sufficient for the quartering of all the Officers and Soldiers within any Town, Township, City, District, or Place, within his Majesty's Dominions in *North America*: And whereas it may frequently happen, from the Situation of such Barracks, that if Troops should be quartered therein, they would not be stationed where their Presence may be necessary and required; be it therefore enacted by the Authority aforesaid, That, in such Cases, it shall and may be lawful for the Persons hereby authorised to quarter Troops as aforesaid in any of the Provinces within his Majesty's Dominions in *North America*, and they are hereby respectively authorised, empowered, and directed, on the Requisition of the Officer who for the Time being has the Command of his Majesty's Forces in *North America*, to cause any Officers or Soldiers in his Majesty's Service to be quartered and billeted in such Manner as is by this Act directed where no Barracks are provided by the Colonies.

IV. And be it further enacted by the Authority aforesaid, That if it shall happen at any Time that any Officers or Soldiers in his Majesty's Service shall remain within any of the said Colonies without Quarters for the Space of twenty-four Hours after such Quarters shall have been demanded, it shall and may be lawful for the Governor of the Province to order and direct such and so many uninhabited Houses, Out-houses, Barns, or other Buildings, as he shall think necessary to be taken (making a reasonable Allowance for the same), and made fit for the Reception of such Officers and Soldiers, and to put and quarter such Officers and Soldiers therein, for such Time as he shall think proper.

V. And be it further enacted by the Authority aforesaid, That if any Military Officer shall take upon himself to quarter Soldiers in any of his Majesty's Dominions in *America*, otherwise than is limited and allowed by this Act; or shall use or offer any Menace or Compulsion to or upon any Justice of the Peace, Constable, Tithingman, Magistrate, or other Civil Officer before mentioned, in his Majesty's Dominions in *America*, tending to deter and discourage any of them from performing any Part of the Duty hereby required, or appointed; such Military Officer, for every such Offence, being thereof convicted before any two or more of his Majesty's Justices of the Peace living within or near such Villages, Towns, Townships, Cities, Districts, or other Places, by the Oaths of two or more credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment in his Majesty's Service, upon a Certificate thereof being transmitted to the Commander in Chief in *America*; unless the said Conviction shall be reversed upon an Appeal brought within six Months in the proper Court for hearing Appeals against convicting by Justices of the Peace: And in case any Person shall find himself aggrieved in that such Constable, Tithingman, Magistrate, or other Civil Officer, shall have quartered or billeted in or upon his House a greater Number of Soldiers than he ought to bear in proportion to his Neighbours, and shall complain thereof to one or more Justice or Justices of the Peace of the Village, Town, Township, City, District, or other Place, where such Soldiers are quartered; such Justice or Justices has or have hereby Power to relieve such Person, by ordering such and so many

Constables, &c. to quarter Officers and Men in Barracks provided for them;

and if not sufficient Room therein, to billet the Residue in Inns, Alehouses, &c.; and if these be also insufficient, then in hired uninhabited Houses, &c. to be provided by the Governor, &c. for the Purpose.

No more Billets to be ordered than there are effective Men. Commander in Chief to give early Notice to the respective Governors of the marching of Troops, and their Numbers, that the Persons appointed may provide Quarters accordingly.

Where the Situation of Barracks are inconvenient, other Quarters shall be provided.

If Soldiers remain 24 Hours without Quarters, Governor to order uninhabited Houses, &c. to be fitted up for their Reception.

Military Officers taking upon themselves to quarter Soldiers, or using any Menace to Civil Officers to deter them from their Duty, to be cashiered; unless the Conviction be reversed upon an Appeal. Persons aggrieved by being quartered on, may complain to the Justices, and be relieved.

of the Soldiers to be removed and quartered upon such other Person or Persons as they shall see Cause and such other Person or Persons shall be obliged to receive such Soldiers accordingly.

No Justice having any Military Office to be concerned in billeting Soldiers, except where there shall be no other Justice.

VI. Provided also, and be it further enacted, That no Justice or Justices of the Peace, having or executing any Military Office or Commission in his Majesty's regular Forces in *America*, may, during the Continuance of this Act, directly or indirectly, act or be concerned in the quartering, billeting, or appointing any Quarters for any Soldier or Soldiers, according to the Disposition made for quartering of any Soldier or Soldiers by virtue of this Act (except where there shall be no other Justice or Justices of the Peace), but that all Warrants, Acts, Matters, or Things, executed or appointed by such Justice or Justices of the Peace for or concerning the same, shall be void, any Thing in this Act contained to the contrary notwithstanding.

Officers and Soldiers quartered in Inns or Ale-houses are to be furnished with Provisions at certain Rates.

VII. Provided nevertheless, and it is hereby enacted, That the Officers and Soldiers so quartered and billeted as aforesaid (except such as shall be quartered in the Barracks and hired uninhabited Houses, or other Buildings as aforesaid), shall be received, and furnished with Diet, Small Beer, Cyder, or Rum mixed with Water, by the Owners of the Inns, Livery Stables, Alehouses, Victualling-houses, and other Houses in which they are allowed to be quartered and billeted by this Act, paying and allowing for the same the several Rates herein after mentioned, to be payable out of the Subsistence-money, for Diet and Small Beer, Cyder, or Rum mixed with Water.

What Innholders, &c. may allow Men quartered on them instead of Meat.

VIII. Provided always, That in case any Innholder, or other Person, on whom any Non-commission Officers or private Men shall be quartered, by virtue of this Act, in any of his Majesty's Dominions in *America* (except on a March, or employed in recruiting, and likewise except the Recruits by them raised for the Space of seven Days at most, for such Non-commission Officers and Soldiers who are recruiting, and Recruits by them raised), shall be desirous to furnish such Non-commission Officers or Soldiers with Candles, Vinegar, and Salt, and with Small Beer, or Cyder, not exceeding five Pints, or Half a Pint of Rum mixed with a Quart of Water, for each Man *per Diem, gratis*; and allow to such Non-commission Officers or Soldiers the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then, and in every such Case, the Non-commission Officers and Soldiers so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or that actually does receive, the Pay and Subsistence of such Non-commission Officers and Soldiers, shall pay the several Sums herein after mentioned, to be payable out of the Subsistence-money, for Diet and Small Beer, to the Non-commission Officers and Soldiers aforesaid, and not to the Innholder or other Person on whom such Non-commission Officers and Soldiers are quartered, any Thing herein contained to the contrary notwithstanding.

What Officers and Soldiers quartered in Barracks, or in hired uninhabited Houses, are to be furnished with at the Provincial Expence.

IX. And whereas there are several Barracks in several Places in his Majesty's said Dominions in *America*, or some of them, provided by the Colonies, for the lodging and covering of Soldiers, in lieu of Quarters, for the Ease and Convenience as well of the Inhabitants of and in such Colonies as of the Soldiers, it is hereby further enacted, That all such Officers and Soldiers so put and placed in such Barracks, or in hired uninhabited Houses, Outhouses, Barns, or other Buildings, shall, from Time to Time, be furnished and supplied there by the Persons to be authorised or appointed for that Purpose by the Governor and Council of each respective Province; or upon Neglect or Refusal of such Governor and Council in any Province, then by two or more Justices of the Peace residing in or near such Place, with Fire, Candles, Vinegar, and Salt, Bedding, Utensils for dressing their Victuals, and Small Beer or Cyder not exceeding five Pints, or Half a Pint of Rum mixed with a Quart of Water, to each Man, without paying any Thing for the same.

How the Expences incurred thereby are to be reimbursed.

X. And, that the several Persons who shall so take, hire, and fit up, as aforesaid, such uninhabited Houses, Outhouses, Barns, or other Buildings, for the Reception of the Officers and Soldiers, and who shall so furnish the same, and also the said Barracks, with Fire, Candles, Vinegar, and Salt, Bedding, Utensils for dressing Victuals, and Small Beer, Cyder, or Rum, as aforesaid, may be reimbursed and paid all such Charges and Expences they shall be put to therein, be it enacted by the Authority aforesaid, That the respective Provinces shall pay unto such Person or Persons all such Sum or Sums of Money so by them paid, laid out, or expended, for the taking, hiring, and fitting up such uninhabited Houses, Outhouses, Barns, or other Buildings, and for furnishing the Officers and Soldiers therein, and in the Barracks, with Fire, Candles, Vinegar, and Salt, Bedding, Utensils for dressing Victuals, and Small Beer, Cyder, or Rum, as aforesaid; and such Sum or Sums are hereby required to be raised in such Manner as the publick Charges for the Provinces respectively are raised.

Penalty on taking Money to excuse any Person from being quartered on.

XI. Provided always, and be it enacted by the Authority aforesaid, That if any Officer within his Majesty's said Dominions in *America* shall take, or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or Soldiers, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

Commanding Officers may exchange Men in their Quarters.

XII. And whereas some Doubts may arise, whether Commanding Officers of any Regiment or Company within his Majesty's said Dominions in *America* may exchange any Men quartered in any Village, Town, Township, City, District, or Place, in his Majesty's said Dominions in *America*, with another Man quartered in the same Place, for the Benefit of the Service, be it declared and enacted by the Authority aforesaid, That such Exchange as above mentioned may be made by such Commanding Officers respectively, provided the Number of Men do not exceed the Number at that Time billeted on such House or Houses; and the Constables, Tithingmen, Magistrates, and other Chief Officers of the Villages, Towns, Townships, Cities, Districts, or other Places where any Regiment or Company shall be quartered, are hereby required to billet such Men so exchanged accordingly.

XIII. And

XIII. And be it further enacted by the Authority aforesaid, That if any Constable, Tithingman, Magistrate, or other Chief Officer or Person whatsoever, who by virtue or colour of this Act shall quarter or billet, or be employed in quartering or billeting, any Officers or Soldiers within his Majesty's said Dominions in *America*, shall neglect or refuse for the Space of two Hours to quarter or billet such Officers or Soldiers when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Forces; or shall receive, demand, contract, or agree, for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excusing, or in order to excuse, any Person or Persons whatsoever from quartering, or receiving into his, her, or their House or Houses any such Officer or Soldier; or in case any Victualler, or any other Person within his Majesty's Dominions in *America*, liable by this Act to have any Officer or Soldier billeted or quartered on him or her, shall refuse to receive or victual any such Officer or Soldier so quartered or billeted upon him or her, as aforesaid; or in case any Person or Persons shall refuse to furnish or allow, according to the Directions of this Act, the several Things herein before directed to be furnished or allowed to Officers and Soldiers so quartered or billeted on him or her, or in the Barracks, and hired uninhabited Houses, Outhouses, Barns, or other Buildings, as aforesaid, at the Rate herein after mentioned, and shall be thereof convicted before one of the Magistrates of any one of the Supreme Chief or Principal Common Law Courts of the Colony where such Offence shall be committed, either by his own Confession, or by the Oath of one or more credible Witnesses or Witnesses (which Oath such Magistrate of such Court is hereby empowered to administer); every such Constable, Tithingman, Magistrate, or other Chief Officer or Person so offending, shall forfeit, for every such Offence, the Sum of five Pounds Sterling, or any Sum or Sums of Money not exceeding five Pounds nor less than forty Shillings, as the Magistrate before whom the Matter shall be heard shall in his Discretion think fit; to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal of such Magistrate before whom such Offender shall be convicted, to be directed to a Constable, or other Officer, within the Village, Town, Township, City, District, or other Place, where the Offender shall dwell; and shall direct the said Sum of five Pounds, or such other Sum as shall be ordered to be levied in pursuance of this Act, as aforesaid, when levied, to be paid into the Treasury of the Province or Colony where the Offence shall be committed, to be applied towards the general Charges of the said Province or Colony.

XIV. And, that the Quarters both of Officers and Soldiers in his Majesty's said Dominions in *America* 'may hereafter be duly paid and satisfied,' be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *March*, in the Year one thousand seven hundred and seventy-five, every Officer to whom it belongs to receive, or that does actually receive, the Pay or Subsistence-money, either for a whole Regiment, or particular Companies, or otherwise, shall immediately, upon each Receipt of every particular Sum, which shall from Time to Time be paid, returned, or come to his or their Hands, on account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns, or other Places where Officers or Soldiers are quartered by virtue of this Act, and shall also appoint the said Innkeepers and others to repair to their Quarters at such Times as they shall appoint, for the Distribution and Payment of the said Pay and Subsistence-money to the said Officers or Soldiers, which shall be within four Days at farthest after Receipt of the same, as aforesaid; and the said Innkeepers and others shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and Soldiers so quartered in their respective Houses; which Account the said Officer or Officers are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or Soldiers; provided the Accounts exceed not for a Commission Officer of Foot, being under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, one Shilling; and if such Officer shall have a Horse or Horses, for each Horse or Horses, for their Hay and Straw, *per Diem*, Sixpence; nor for one Foot Soldier's Diet and Small Beer, Cyder, or Rum mixed as aforesaid, *per Diem*, Four-pence: And if any Officer or Officers, as aforesaid, shall not give Notice, as aforesaid, and not immediately, upon producing such Account stated, satisfy, content, and pay the same, upon Complaint, and Oath made thereof by any two Witnesses, before two of his Majesty's Justices for the Village, Town, Township, City, District, or other Place, where such Quarters were (which Oath such Justices are hereby authorized and required to administer), the Paymaster or Paymasters of his Majesty's Guards and Garrisons, upon Certificate of the said Justices before whom such Oath was made of the Sum due upon such Accounts, and the Persons to whom the same is owing are hereby required and authorized to pay and satisfy the said Sums out of the Arrears due to the said Officer or Officers, upon Penalty that such Paymaster or Paymasters shall forfeit their respective Place or Places of Paymaster, and be discharged from holding the same for the future: And in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Paymasters are hereby authorized and required to deduct the Sums he or they shall pay, pursuant to the Certificates of the said Justices, out of the next Pay or Subsistence-money of the Regiment to which such Officer or Officers shall belong; and such Officer or Officers shall, for every such Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money, as aforesaid, be deemed and taken, and is hereby declared, to be *ipso facto* cashiered.

XV. And where it shall happen that the Pay or Subsistence-money due to any Officer or Soldier within his Majesty's said Dominions in *America*, shall, by Occasion of any Accident, not be paid to such Officer or Soldier, or such Officer or Soldier shall neglect to pay the same, so that Quarters cannot be or are not paid as this Act directs; and where any Forces shall be upon their March in his Majesty's said Dominions in *America*, so that no Subsistence can be remitted to them to make Payment as this Act directs, or they shall neglect to pay the same; in every such Case, it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Regiment, Troop, or Company, shall remain for any Time whatsoever, make up the Accounts with every Person with whom

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such

Penalty on Constables, &c. delaying to quarter or billet Officers or Soldiers, after due Notice; or receiving Money to excuse quartering; and on Persons refusing to receive the Officers and Soldiers billeted on them, or to furnish them with Necessaries, as this Act directs;

is any Sum not exceeding 5 l. nor less than 40 s.

to be paid into the Treasury of the Colony where the Offence is committed.

Officers to give Notice to Innkeepers, &c. of Subsistence-money in their Hands;

and their Accounts to be paid off according to the Rates of Subsistence here established.

Officers not giving such Notice,

the Accounts to be discharged out of their Arrears of Pay.

If no Arrears are due, then out of the Subsistence-money of the Regiment, and the Officers to be cashiered.

On Nonpayment of Quarters, for want of Money, the Officer to make up the Accounts, and give Certificates for the Sums due.

such Regiment or Company shall have quartered, and sign a Certificate thereof, and give the said Certificate, so by him signed, to the Party to whom such Money is due, with the Name of such Regiment or Company to which he or they shall belong, to the End the said Certificate may be forthwith transmitted to the Paymaster of his Majesty's Guards and Garrisons, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the End the same may be applied to such Regiment or Company respectively, under Pain as before in this Act directed for Non-payment of Quarters.

Justices may demand an Account of quartering of the Officers and Soldiers, in order to prevent and remedy Abuses in quartering.

XVI. And, for the better preventing Abuses in quartering or billeting the Soldiers in his Majesty's Dominions in *America* in pursuance of this Act, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any one or more Justices of the Peace, or other Officer, within their respective Villages, Towns, Townships, Cities, Districts, or other Places, in his Majesty's said Dominions in *America*, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command any Constable, Tithingman, Magistrate, or other Chief Officer, who shall quarter or billet any Soldiers in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices, or other Officer requiring the same, of the Number of Officers and Soldiers who shall be quartered or billeted by them, and also the Names of the Housekeepers or Persons upon whom, and the Barracks and hired uninhabited Houses, or other Buildings, as aforesaid, in which and where every such Officer or Soldier shall be quartered or billeted, together with an Account of the Street or Place where every such Housekeeper or Person dwells, and where every such Barrack or hired uninhabited House or Building is or are, and of the Signs (if any) which belong to their Houses, to the End that it may appear to the said Justice or Justices, or other Officer, where such Officers or Soldiers are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting them.

Justices, in pursuance of Orders received, are to issue Orders to Constables to provide Carriages for the Troops on their March.

XVII. And be it further enacted by the Authority aforesaid, That, for the better and more regular Provision of Carriages for his Majesty's Forces in their Marches, or for their Arms, Clothes, or Accoutrements, in his Majesty's said Dominions in *America*, all Justices of the Peace within their several Villages, Towns, Townships, Cities, Districts, and Places, being duly required thereunto by an Order from his Majesty, or the General of his Forces, or of the General commanding, or the Commanding Officer there, shall, as often as such Order is brought and shewn unto one or more of them by the Quarter-master, Adjutant, or other Officer of the Regiment, Detachment, or Company, so ordered to march, issue out his or their Warrants to the Constables, Tithingmen, Magistrates, or other Officers of the Villages, Towns, Townships, Cities, Districts, and other Places, from, through, near, or to which such Regiment, Detachment, or Company, shall be ordered to march, requiring them to make such Provision for Carriages, with able Men to drive the same, as shall be mentioned in the said Warrant, allowing them reasonable Time to do the same, that the neighbouring Parts may not always bear the Burthen; and in case sufficient Carriages cannot be provided within any such Village, Town, Township, City, District, or other Place, then the next Justice or Justices of the Peace of the Village, Town, Township, City, District, or other Place, shall, upon such Order as aforesaid being brought or shewn to one or more of them, by any of the Officers as aforesaid, issue his or their Warrants to the Constables, Tithingmen, Magistrates, or other Officers of such next Village, Town, Township, City, District, or other Place, for the Purposes aforesaid, to make up such Deficiency; and such Constable, Tithingman, Magistrate, or other Officer, shall order or appoint such Person or Persons, having Carriages within their respective Villages, Towns, Townships, Cities, Districts, or other Places, as they shall think proper, to provide and furnish such Carriages and Men according to the Warrant aforesaid; who are hereby required to provide and furnish the same accordingly.

Rates for Carriages.

XVIII. And be it further enacted, That the Pay or Hire for a *New York* Waggon, carrying twelve hundred Pounds Gros Weight, shall be Seven-pence Sterling for each Mile, and for every other Carriage in that and every other Colony in his Majesty's said Dominions in *America*, in the same Proportion; and at or after the same Rate or Price for what Weight every such other Carriage shall carry; and that the first Day's Pay or Hire for every such Carriage shall be paid down by such Officer to such Constable, Tithingman, Magistrate, or other Civil Officer, who shall get or procure such Carriages for the Use of the Owner or Owners thereof; and the Pay or Hire for every such Carriage after the first Day, shall be paid every Day, from Day to Day, by such Officer as aforesaid, into the Hands of the Driver or Drivers of such Carriages respectively, until such Carriages shall be discharged from such Service, for the Use of the Owner and Owners thereof.

Carriages not obliged to carry above 12 Cwt.

XIX. Provided always, and be it further enacted, That no such Waggon, Cart, or Carriage, impressed by Authority of this Act, shall be obliged or liable, by virtue of this Act, to carry above twelve hundred Weight, any Thing herein contained to the contrary notwithstanding.

nor to travel above one Day's March, unless other Carriages cannot be procured.

XX. Provided also, That no such Waggon, Cart, or Carriage, shall be obliged to travel more than one Day's March, if within that Time they shall arrive at any other Place where other Carriages may be procured; but in case other sufficient Carriages cannot be procured, then such Carriages shall be obliged to continue in the Service till they shall arrive at such Village, Town, Township, City, District, or other Place, where proper and sufficient Carriages for the Service of the Forces may be procured.

Penalty on Constables, &c. neglecting to provide Carriages.

XXI. And be it further enacted by the Authority aforesaid, That if any Constable, Tithingman, Magistrate, or other Civil Officer, within his Majesty's Dominions in *America*, shall wilfully neglect or refuse to execute such Warrants of the Justices of the Peace as shall be directed to them for providing Carriages, as aforesaid; or if any Person or Persons appointed by such Constable, Tithingman, Magistrate, or other Civil Officer, to provide or furnish any Carriage and Man, shall refuse or neglect to provide the same, or any other Person or Persons whatsoever shall wilfully do any Act or Thing whereby the Execution of the said Warrants may be delayed, hindered, or frustrated; every such Constable, Tithingman, Magistrate, Civil

Civil Officer, or other Person so offending, shall, for every such Offence, forfeit any Sum not exceeding forty Shillings Sterling, nor less than twenty Shillings, to be paid into the Treasury of the Province where any such Offence shall be committed; to be applied towards the aforesaid contingent Charges of the Province: And all and every such Offence and Offences, and all and every other Offence and Offences in this Act mentioned, and not otherwise provided, shall and may be inquired of, heard, and fully determined, by two of his Majesty's Justices of the Peace, dwelling in or near the Village, Town, Township, City, District, or Place, where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offenders Goods and Chattels, rendering the Overplus, if any, to the Owner.

XXII. And whereas the Allowance hereby provided for the Payment of the Carriages that may be necessary in the Marching of Troops may not be a sufficient Compensation for the same, and to satisfy the Constables, Tithingmen, Magistrates, and other Civil Officers, their Charges and Expences therein; for Remedy whereof, be it further enacted by the Authority aforesaid, That the Constables, Tithingmen, Magistrates, and Civil Officers procuring such Carriages, shall pay a reasonable Expence or Price for every Carriage so procured; and that every such Constable, Tithingman, Magistrate, Civil Officer, or other Person, shall be repaid what he or they shall so expend, together with his or their own Charges and Expences attending the same, by the Province or Colony where the same shall arise.

XXIII. Provided always, and be it further enacted by the Authority aforesaid, That where it shall be necessary to take Waggon or other Carriages for long Marches, beyond the Settlements, an Appraisement shall be made of the Value of such Horses and Carriages, at the Time of the taking them up to be employed in such Marches beyond the Settlements, by two indifferent Persons, one to be chosen by the Commanding Officer of such Forces, and the other by the Owner of such Cattle or Carriages, a Certificate of which Appraisement shall be given to the Owner or Owners of such Cattle or Carriages respectively: And in case any of the Cattle or Carriages, so taken up for such Service, shall, in the Execution thereof, be lost or destroyed; that then, and in every such Case, upon producing the said Certificate, and proper Vouchers, upon Oath, of such Loss or Destruction, to the Paymaster General of his Majesty's Guards and Garrisons, the said Paymaster shall, and he is hereby required to pay to the respective Owners of such Cattle or Carriages the Sums specified in such Certificates and Vouchers to be the Value of such Cattle or Carriages so lost or destroyed.

XXIV. And whereas several Soldiers, being duly enlisted in his Majesty's Service, do often desert such Service; for Remedy whereof, be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Constable, Tithingman, Magistrate, or other Civil Officer, of the Village, Town, Township, City, District, or Place, within the said Dominions in America, where any Person who may be reasonably suspected to be such Deserter shall be found, to apprehend, or cause him to be apprehended; and to cause such Person to be brought before any Justice of the Peace, or other Chief Magistrate, living in or near such Village, Town, Township, City, District, or Place, who hath hereby Power to examine such suspected Person; and if by his Confession, or the Testimony of one or more Witnesses or Witnesses upon Oath, or the Knowledge of such Justice of the Peace, or other Magistrate, it shall appear or be found that such suspected Person is a listed Soldier, and ought to be with the Regiment or Company to which he belongs, such Justice of the Peace, or other Magistrate, shall forthwith cause him to be conveyed to the Gaol of the Village, Town, Township, City, District, County, or Place, where he shall be found, or to the House of Correction, or other publick Prison, in such Village, Town, Township, City, District, County, or Place, where such Deserter shall be apprehended, and transmit an Account thereof to the Commander in Chief of his Majesty's Forces in the said Dominions in America, or to the Commanding Officer of the Forces posted nearest to such Justice or Justices, or other Magistrate or Magistrates for the Time being, to the End that such Person may be proceeded against according to Law: And the Gaoler or Keeper of such Gaol, House of Correction, or Prison, shall receive the full Subsistence of such Deserter or Deserters, during the Time that he or they shall continue in his Custody, for the Maintenance of such Deserter or Deserters, but shall not be intitled to any Fee or Reward on account of the Imprisonment of such Deserter or Deserters, any Law, Usage, or Custom, to the contrary notwithstanding.

XXV. Provided always, That if any Person shall harbour, conceal, or assist, any Deserter from his Majesty's Service, within his Majesty's said Dominions in America, knowing him to be such, the Person so offending shall forfeit, for every such Offence, the Sum of five Pounds; or if any Person shall knowingly detain, buy, or exchange, or otherwise receive, any Arms, Clothes, Caps, or other Furniture, belonging to the King, from any Soldier or Deserter, or any other Person, upon any Account or Pretence whatsoever, within his Majesty's Dominions in America, or cause the Colour of such Clothes to be changed; the Person so offending shall forfeit, for every such Offence, the Sum of five Pounds; and upon Conviction upon the Oath of one or more credible Witnesses or Witnesses, before any of his Majesty's Justices of the Peace, the said respective Penalties of five Pounds, and five Pounds, shall be levied by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the Offenders, one Moiety of the said first-mentioned Penalty of five Pounds to be paid to the Informer by whose Means such Deserter shall be apprehended, and one Moiety of the said last-mentioned Penalty of five Pounds to be paid to the Informer, and the Residue of the said respective Penalties to be paid to the Officer to whom any such Deserter or Soldier did belong: And in case any such Offenders, who shall be convicted as aforesaid of harbouring or assisting any such Deserter or Deserters, or having knowingly received any Arms, Clothes, Caps, or other Furniture, belonging to the King; or having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels whereon Distress may be made to the Value of the Penalties recovered against him for such Offence, or shall not pay such Penalties within four Days after such Conviction; then, and in

Colony to repay the extra Expences of Carriages.

Where Carriages shall be necessarily provided for long Marches beyond the Settlements, the Horses and Carriages to be fairly appraised; and if lost or destroyed, to be paid for according to Certificate.

Deserters may be apprehended,

and committed,

Gaoler to receive their Subsistence-money for Maintenance, but no Fee for their Imprisonment.

Penalty on Persons harbouring Deserters, or buying Soldiers Arms or Clothes, &c.

in such Case, such Justice of the Peace shall and may, by Warrant under his Hand and Seal, commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of three Months, or cause such Offender to be publickly whipt, at the Discretion of such Justice.

‘XXVI. And whereas evil-disposed Persons frequently endeavour to delude his Majesty’s good Subjects who have engaged themselves as Soldiers in the Service of his Majesty and their Country, and to prevail with them to desert the same;’ for Remedy whereof, and for the more effectual and exemplary Punishment of Offenders in that Behalf, within his Majesty’s Colonies and Plantations in *America*, be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever (other than such as are or shall be enlisted as Soldiers, against whom sufficient Remedy is already provided by Law), shall, by Words, or other Means whatsoever, directly or indirectly, persuade or procure any Soldier or Soldiers in the Service of his Majesty, his Heirs or Successors, within any of the said Colonies or Plantations, to desert or leave such Service, or shall go about and endeavour, in Manner aforesaid, to persuade, prevail, or procure, such Soldier or Soldiers to desert or leave such Service as aforesaid, and being thereof lawfully convicted, shall, for every such Offence, forfeit to his Majesty, his Heirs and Successors, or any other Person or Persons who shall sue for the same, the Sum of forty Pounds; to be recovered by Bill, Complaint, or Information, in any of his Majesty’s Courts of Record within the Province or Place where the Offence shall be committed, wherein no Essoin, Protection, or Wager of Law, shall be allowed; and if it shall happen that such Offender, so convicted as aforesaid, shall not have Goods or Chattels, Lands or Tenements, to the Amount or Value of the said Sum of forty Pounds, to pay and satisfy the said Penalty, or that from the Circumstances or Heinousness of the Crime it shall be thought proper and convenient, the Court before which the said Conviction shall be made as aforesaid shall award the said Offender to Prison, there to remain for any Time not exceeding six Months, without Bail or Mainprize, and also to stand in the Pillory for the Space of one Hour, in some Market Town next adjoining to the Place where the Offence was committed, in open Market there, or in the Market Town itself where the Fact was committed.

XXVII. Provided always, That no such Action shall be brought, or Prosecution carried on, by virtue of this Act, unless the same be commenced within six Months after the Offence committed.

XXVIII. And be it further enacted, That no Commission Officer shall break open any House within his Majesty’s Dominions in *America*, to search for Deserters, without Warrant from a Justice of the Peace, and in the Day-time; and that every Commission Officer who shall in the Night, or without Warrant from one or more of his Majesty’s Justices of the Peace (which said Warrants the said Justice or Justices are hereby empowered to grant), forcibly enter into, or break open, the Dwelling-house or Outhouses of any Person whatsoever, under Pretence of searching for Deserters, shall, upon due Proof thereof, forfeit the Sum of twenty Pounds.

‘XXIX. And whereas several Crimes and Offences have been and may be committed by several Persons not being Soldiers, at several Forts or Garrisons, and several other Places within his Majesty’s Dominions in *America*, which are not within the Limits or Jurisdiction of any Civil Government there hitherto established, and which Crimes and Offences are not properly cognizable or triable and punishable by a Court-martial, but by the Civil Magistrate, by Means whereof several great Crimes and Offences may go unpunished, to the great Scandal of Government;’ for Remedy whereof, be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *March*, in the Year one thousand seven hundred and seventy-five, and for so long afterwards as this Act shall continue in Force, if any Person or Persons, not being a Soldier or Soldiers, do or shall commit any Crime or Crimes, or Offence or Offences, in any of the said Forts, Garrisons, or Places, within his Majesty’s Dominions in *America*, which are not within the Limits or Jurisdiction of any Civil Government hitherto established, it shall and may be lawful for any Person or Persons to apprehend such Offender or Offenders, and to carry him, her, or them, before the Commanding Officer for the Time being of his Majesty’s Forces there; and such Offender being charged upon Oath, in Writing, before the said Commanding Officer, and which Oath the said Commanding Officer is hereby empowered to administer, that then, and in every such Case, the said Commanding Officer shall receive and take into his Custody, and safely keep every such Offender, and shall convey and deliver, or cause to be conveyed and delivered, with all convenient Speed, every such Offender to the Civil Magistrate of the next adjoining Province, together with the Cause of his or her Detainer, to be committed and dealt with by such Civil Magistrates or Magistrate according to Law; and every such Civil Magistrate is hereby commanded and required to commit every such Offender, that he or she may be dealt with according to Law; and in every such Case, it shall and may be lawful to prosecute and try every such Offender in the Court of such Province or Colony where Crimes and Offences of the like Nature are usually tried, and where the same would be properly tried, in case such Crime or Offence had been committed within the Jurisdiction of such Court; and such Crime shall and may be alledged to be committed within the Jurisdiction of such Court; and such Court shall and may proceed therein to Trial, Judgment, and Execution, in the same Manner as if such Crime or Offence had been really committed within the Jurisdiction of such Court, any Law, Usage, Custom, Matter, or Thing whatsoever, to the contrary notwithstanding.

XXX. And be it further enacted by the Authority aforesaid, That every Bill, Complaint, Action, or Suit, against any Person or Persons, for any Act, Matter, or Thing, to be acted or done in pursuance of this Act, or the said other in Part recited Act, in any of his Majesty’s Dominions in *America*, shall be brought and prosecuted in and before some principal Court of Record in the Colony where such Matter or Thing shall be done or committed; and in case the same shall not be done or committed within the Jurisdiction of any such Court, then in the Court of the Colony next to the Place where the same shall be done and committed, and in no other Court whatsoever.

XXXI. And be it further enacted by the Authority aforesaid, That where any Troops or Parties upon Command have Occasion in their March, in any of his Majesty’s Dominions in *America*, to pass regular Ferries,

Persons persuading Soldiers to desert, to forfeit 40 L.

or suffer six Months Imprisonment, at the Discretion of the Court.

When Actions may be commenced.

Penalty 20 l. if any Officer break open a House to search for Deserters without Warrant.

Persons not being Soldiers committing any Offences in any Fort or Garrison, &c. not within the Jurisdiction of any Civil Government,

may be apprehended; and being charged on Oath with the Offence, may be committed to safe Custody till delivered over to the Civil Magistrate.

Suits in what Courts to be prosecuted.

How the Troops are to pay in passing Ferries.

Ferries, it shall and may be lawful for the Commanding Officer either to pass over with his Party as Passengers, or to hire the Ferry-boat entire to himself and his Party, debarring others for that Time in his Option; and in case he shall chuse to take Passage for himself and Party as Passengers, he shall only pay for himself, and for each Person, Officer or Soldier, under his Command, Half of the ordinary Rate payable by single Persons at any such Ferry; and in case he shall hire the Ferry-boat for himself and Party, he shall pay Half of the ordinary Rate for such Boat or Boats; and in such Places where there are no regular Ferries, but that all Passengers hire Boats at the Rate they can agree for, Officers with or without Parties are to agree for Boats at the Rates that other Persons do in the like Cafes.

XXXII. And be it further enacted by the Authority aforesaid, That all Sum and Sums of Money mentioned in this Act, and all Penalties and Forfeitures whatsoever to be incurred or forfeited for any Offence, Cause, Matter, or Thing whatsoever, to be done, committed, or omitted to be done, in his Majesty's Colonies and Dominions in *America*, contrary to the true Intent and Meaning of this Act, shall be, and shall be paid and forfeited in lawful Money of the Colony or Place where the same shall be forfeited or become due, at the Rate of four Shillings and Eight-pence Sterling Money for a *Spanish* milled Dollar, and not otherwise.

XXXIII. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained, touching the quartering his Majesty's Forces, and the supplying them in their Quarters, and the furnishing Carriages on their Marches, and on other necessary Occasions, shall extend, or be construed to extend, to any Province, Colony, or Plantation, during such Time as any Law of such Province, Colony, or Plantation, which shall have received the Confirmation of his Majesty in Council, shall be in Force for providing Quarters for his Majesty's Officers and Soldiers, and for furnishing them in their Quarters, and for providing Carriages for them on Marches, or on any other necessary Occasion, within such Province, Colony, or Plantation.

XXXIV. Provided always, and be it enacted, That whenever any Troops shall march through, or be stationed in, any Place in *North America*, it shall and may be lawful for the Civil Magistrates, Select-men, or other Person or Persons (appointed by Act of Parliament, or by any Law of such Province, Colony, or Plantation, as aforesaid, to quarter and make Provision for Troops), as likewise for the Officer commanding the Troops so marching or stationed, as aforesaid, by mutual Agreement, signed by the respective Parties, to provide Quarters for the said Troops, in any Manner most convenient to them and to the Country, any Act or Thing to the contrary notwithstanding, so as that no Expence be brought on the Crown by such Agreement.

XXXV. And be it further enacted by the Authority aforesaid, That if any Action, Bill, Plaint, or Suit, shall be brought or commenced against any Person or Persons for any Act, Matter, or Thing, done or acted in pursuance of this Act, that it shall and may be lawful to and for all and every Person or Persons so sued to plead thereto the General Issue, that he or they are not guilty, and to give the special Matter in Evidence to the Jury who shall try the Cause; and if the Verdict therein shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs therein shall become nonsuit, or suffer a Discontinuance, or by any other Means Judgment therein shall be given for the Defendant or Defendants therein; that in every such Case the Justice or Justices, or other Judge or Judges of the Court in which such Action shall be brought, shall, by Force and Virtue of this Act, allow unto such Defendant or Defendants his or their Treble Costs, which he or they shall have sustained or be put to by reason of the Defence of such Suit, for which Costs such Defendant and Defendants shall have the like Remedy as in other Cases where Costs are by the Law given to Defendants.

XXXVI. And whereas, during the Continuance of this Act, there may be Occasion for the marching and quartering of some of his Majesty's Marine Forces in some Parts of his Majesty's Dominions in *America*; be it therefore further enacted by the Authority aforesaid, That this Act, and all and singular the Clauses and Provisions herein mentioned and contained, as well relating to the quartering and billeting of his Majesty's Land Forces in his Dominions in *America*, and providing them with Carriages on their Marches, as also relating to all and every other Provision, Regulation, Penalty, Punishment, Matter, and Thing, herein provided, enacted, and made, with respect to the said Land Forces, shall be deemed, construed, and taken to extend, and the same, and all and every Part and Parts thereof, and of this Act, are, in all Respects, and to all Intents and Purposes whatsoever, hereby extended to his Majesty's Marine Forces while on Shore, in any of his Majesty's Dominions in *America*, as fully and effectually, to all Intents and Purposes, as if the said Marine Forces had herein been particularly mentioned in Conjunction with his Majesty's other Forces.

XXXVII. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall continue and be in Force in all his Majesty's Dominions in *America*, from the twenty-fourth Day of *March*, in the Year one thousand seven hundred and seventy-five, until the twenty-fourth Day of *March*, in the Year of our Lord one thousand seven hundred and seventy-seven.

## C A P. XVI.

An Act to enable Sir *Nigel Gresley* Baronet, and *Nigel Bowyer Gresley* Esquire, his Son, to make and maintain a navigable Cut or Canal from certain Coal Mines in *Apedale* to *Newcastle under Lyme*, in the County of *Stafford*.

WHEREAS Sir *Nigel Gresley* Baronet, and *Nigel Bowyer Gresley* Esquire, Son and Heir-apparent of the said Sir *Nigel Gresley*, are Proprietors of several considerable Mines, Rows, and Veins of Coal, situate within the Manor of *Apedale*, in the County of *Stafford*: And whereas the making a navigable Cut or Canal from the said Coal Mines to *Newcastle under Lyme*, in the said County, will be of particular

Pecuniary Penalties to be paid at the Rate of 4s. 8d. Sterling the Spanish milled Dollar.

This Act not to extend to any Province, while any Law of such Province for providing Quarters, &c. shall be in Force.

Civil Magistrates, &c. may, by mutual Agreement, provide Quarters, &c.

Limitation of Actions.

General Issue.

Treble Costs.

This Act to extend to Marine Forces while on Shore in *America*.

This Act to be in Force from March 24, 1775, to March 24, 1777.

Preamble.