

esty's colonies in North America, and it may be for the service of the Crown to unite them with his loyal subjects in the said colonies:

[Section VI.] Be it further enacted by the authority aforesaid, That the charges of settling the said inhabitants and families so as aforesaid imported into this government shall be defrayed and paid out of the money given to the King's use by an act of this assembly, entitled "An act for granting the sum of sixty thousand pounds to the King's use and for striking fifty-five thousand pounds thereof in bills of credit and to provide a fund for sinking the same."<sup>1</sup> And all orders drawn for that purpose by the overseers of the poor of the respective townships for the sum and sums of money by them expended for the purposes in this act directed after their accounts have been examined and [allowed of as aforesaid, which shall be duly certified on the back of the said order] by two or more of the persons hereinbefore-mentioned, shall be directed to the commissioners appointed by the said act and paid accordingly.

[Section VII.] Provided, That this act shall continue in force for the space of twelve months, and from thence to the end of the next sitting of assembly and no longer.

Passed March 5, 1756. Referred for consideration by the King in Council, August 18, 1756, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXI, Section IV. Repealed by the Act of Assembly passed January 18, 1757, Chapter 416.

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## CHAPTER CCCCIX.

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AN ACT FOR REGULATING THE OFFICERS AND SOLDIERS COMMISSIONATED AND RAISED BY THE GOVERNOR FOR THE DEFENSE OF THIS PROVINCE.

Whereas in pursuance of the powers granted by the royal charter to our late honored proprietor, William Penn, Esquire, and his successors, and to his or their deputy or deputies,

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<sup>1</sup> Passed November 27, 1755, Chapter 406.

the governor hath thought fit to commissionate a number of officers and raise a considerable body of forces under them for putting a stop to the cruel and barbarous ravages and murders committed by the Indians upon the peaceable inhabitants of the frontier parts and counties within this province.

And forasmuch as numbers of armed men assembled together without any clear and express law for their government may become dangerous to the King's peace, ruinous to each other and of little service to the public, therefore:

[Section I.] Be it enacted by the Honorable Robert Hunter Morris, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That all officers so as aforesaid commissioned and in pay or that shall hereafter be commissioned and in pay, and such soldiers as have been regularly enlisted or shall voluntarily engage or be enlisted at any time after the publication of this act and be paid and maintained by the Crown at the charge of this province, shall be for their better government subject to the same laws, rules, duties and trials and be liable to the same punishments during the continuance of this act as they would be by virtue of an act of Parliament passed in the twenty-eighth year of the present reign, entitled "An act for punishing mutiny and desertion, &c.,"<sup>1</sup> if joined by any of His Majesty's British forces.

And forasmuch as there is at present no commission or warrant from the Crown to the governor of this province for the holding general courts-martial within the same:

[Section II.] Be it further enacted by the authority aforesaid, That the governor or commander-in-chief of this province for the time being may from time to time grant commissions under the great seal to any officers not under the degree of a field officer for the holding general courts-martial within this province, which shall consist of the same number of officers of the like

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<sup>1</sup> 7 Ruffhead, 576, (text not given).

rank and shall have the same powers and authorities and shall proceed in the same manner as in the said act of Parliament is directed and prescribed; in which courts-martial all the offenses specified in the said act of Parliament and His Majesty's articles of war committed by such officers or soldiers shall be tried and proceeded against in such manner as by the said act and articles is directed. Provided that all and every officer or officers presiding at any trial or trials whereupon sentence of death shall be adjudged and given against any officer or soldier by virtue and in pursuance of the said act of Parliament, shall transmit as soon as may be to the governor or commander-in-chief for the time being a fair transcript of their proceedings and sentences under their hands and seals, and that the execution of such sentences shall be suspended until the pleasure of the governor or commander-in-chief be known and his warrant under the great seal be received for the same.

[Section III.] Provided nevertheless, That nothing herein-contained shall extend or be construed to exempt any officer or soldier whatsoever from being proceeded against by the ordinary course of the law, or be anywise construed to extend to or concern any of the militia forces of this province, or to authorize the enlisting of indented servants or apprentices, or to bring over any part of the said act of Parliament not relating to the government of soldiers, the manner of enlisting them, the offenses punishable by sentence of court-martial, the mode of trial and the punishments to be inflicted, anything herein-contained to the contrary notwithstanding.

This act to continue and be in force until the thirtieth day of October next and no longer.

Passed April 15, 1756. Referred for consideration by the King in Council, August 13, 1756, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXI, Section IV, and the Act of Assembly passed November 4, 1756, Chapter 414.