

C H A P.
XLIII.Pres-Mas-
ters, yearly,
&c.Pres-Masters
refusing, &c.
to serve, for-
feit 500^l
Tobacco.

by the Clerk of the Court, nominate and appoint such and so many Pres-Masters, for every County as aforesaid, shall each of them forfeit and pay unto his Majesty, his Heirs and Successors, for the Support of Government, the Sum of Five Hundred Pounds of Tobacco; and such Pres-Masters, who shall be so nominated and appointed, as aforesaid, by such Precept as aforesaid to him or them directed, and shall thereupon refuse or neglect to serve and truly perform and execute the said Place and Office of Pres-Master, shall forfeit and pay unto his Majesty, his Heirs and Successors, for the Support of Government, for every Time he or they so nominated and appointed, shall refuse to serve as aforesaid, the Sum of Five Hundred Pounds of Tobacco.

The Booty,
&c. of any
Indians, or o-
ther Enemy
taken in War,
shall belong
to the Captor.

XIV. **And** for the better Encouragement of such Soldiers as shall, in the Time of War, adventure in the Service of the Country, and in Defence thereof, against *Indians* and others; **Be it Enacted**, by the Authority aforesaid, That the Booty, Prize, Pillage, or Plunder, or any *Indian* or other seized or taken Prisoner, shall be, by the Commander in Chief, bestowed on such Officer, Soldier or Soldiers, taking and seizing the same.

Soldiers
mained in
the Service,
shall have
yearly Pen-
sions out of the
Public Levy.
If slain, the
Widow to
have a Pen-
sion, and the
Children to
be taken Care
of, &c.
Such Pensions
to be paid
yearly out of
the 50000^l
Tobacco, to
be raised as
hereafter is
provided in
§, 17 and 18.
The Pension-
ers to have
Certificate
from the
County
Court.

XV. **And** for the Encouragement of such Soldiers as shall adventure their Lives in the Service and Defence of this Province, and for Provision of some reasonable Pension to be for the future settled on such Soldiers as shall happen to be maimed or rendered incapable to get a Livelihood for themselves or Family; **Be it Enacted**, by the Authority aforesaid, That every Person that shall adventure as a Soldier, in any War or Defence of this Province, and shall therein happen to be maimed, or receive Hurt, so as to be rendered incapable of getting a Livelihood as aforesaid, shall, according to his Disability, receive a yearly Pension, to be raised out of the Public Levy of this Province, during the Time of such his Disability. And every Person slain in the Service of this Province, leaving behind him a Wife and Children, there shall also be allowed a competent Pension to the Wife, during her Widowhood, and the Children 'till they be of Years able to get their Living, or be put out Apprentices; and that this Pension be yearly paid and allowed out of the Fifty Thousand Pounds of Tobacco *per Annum* to be raised by the Governor of this Province, for the Time being, or the Council, as in this Act is hereafter provided in the Intervals of Assemblies: The Party, petitioning for such Pensions and Allowances, procuring a Certificate from the County Court, where he, she, or they live, that he, she, or they, are Objects of Charity, and deserve to have such Pension and Allowance.

Any Person
refusing to
serve in De-
fence of the
Province, on
any Invasion,
shall be
brought be-
fore some
County Ma-
gistrate,and if his Ex-
cuse be found
insufficient,
he shall be
bound over to
the Provin-
cial Court,
and on Con-
viction, be
punished by
Fine and Im-
prisonment.

XVI. **And be it further Enacted**, by the Authority aforesaid, That if, upon any foreign Invasion, any Person or Persons whatsoever (except before excepted) that shall be pressed, or be an enlisted Soldier within this Province, shall, upon the Command of his Officer, being a Captain at the least, obstinately refuse to appear and serve in Arms for the necessary Defence of this Province, such Person or Persons so obstinately refusing to appear and serve in Arms as aforesaid, shall, upon Certificate thereof, under such Officer's Hand as aforesaid, to the next Justice of the Peace of the County where such Party liveth, be proceeded against in Manner following, (*That is to say,*) The same Justice of the Peace, to whom such Certificate as aforesaid shall be made, shall immediately issue out a Warrant to the Constable of the Hundred where such Party liveth, to apprehend him, and bring him before himself, or some other Justice of the Peace of the same County, there to render a sufficient Excuse, if any he hath, for such his Refusal or Non-appearance as aforesaid: And if the Justice of Peace shall not find the Excuse of such Party in such Case to be reasonable and sufficient, then he shall immediately commit such Person to the Custody of the Sheriff of such County, there to remain until he shall find Surety to appear at the next Provincial Court to be held for this Province, there to be proceeded against according to the due Course of Law; and if thereupon he shall be convicted of such obstinate Refusal or Disobedience