

His Punishment.

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*.

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,

How Plunder to be disposed of,

*Be it Enacted by the Authority aforesaid*, 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.

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 rendred incapable to get a Livelihood for themselves or Families,

Provision for Soldiers Maimed in the Service,

*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 rendred incapable of getting a Livelihood, as aforesaid, shall according to his Disability receive a yearly Pension, to be raised out of the Publick Levy of this Province, during the time of such his Disability. And every Person slain in the Service of this Province,

And for their Families if killed,

leaving behind him a Wife or Children, there shall also be allowed a Competent Pension to the Wife during her Widdowhood, 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 Governour 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.

How to be paid,

Persons Obstinately refusing to serve,

*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 prest, 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 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

How to be proceeded against.

convicted