

may have incurred by and in the same contract, trade or dealing; and if any person thought probably concerned in any such contract, trade or dealing, refuse to be sworn, or to give evidence, either before the court before whom the trial shall be, or to the grand jury, he shall, by the court who shall require such oath, be fined such sum as if he had been convict of buying silver contrary to this act, and shall stand committed till he pay the same, and the fine shall be in like manner appl[i]ed.

*Provided,*

[SECT. 7.] That nothing herein contained shall be construed to restrain the buying or selling of silver, wrought into vessels or other things commonly made by goldsmiths, at a higher rate than six shillings and eightpence per ounce. [*Passed January 15; published January 18, 1741-42.*]

Proviso.

## CHAPTER 13.

AN ACT TO ENCOURAGE MEN TO ENLIST THEMSELVES IN THE PROVINCE SNOW, AND MORE EFFECTUALLY TO GUARD THE SEA-COAST DURING THE PRESENT WAR WITH SPAIN.

*Be it enacted by His Excellency the Governour, Council and Representatives in General Court assembled, and by the authority of the same,*

[SECT. 1.] That the captain, officers and ship's company of the said province snow, shall have all such vessels, stores and goods as they shall seize and take from the king of Spain, his vassals and subjects, during the present war with Spain; and ten pounds a head, old tenor bills, or equivalent, for every man of the enemy taken or destroyed by them in any engagement with any ship of war or privateer of the enemy by them taken or destroyed; the number of men, and destruction of the ship or vessel, to be proved by three or more of their ch[e]i[e]f officers or men, before some ch[e]i[e]f magistrate, and by him certified; the said prizes and præmiums to be divided to and among the captain, officers and ship's company; vizt., to the captain, two-eighths, to the lieutenant and master, one-eighth, to the warrant-officers, one-eighth, to the petty officers, one-eighth, and to the ship's company, three-eighths: and the captain, officers and ship's company shall appoint their respective agents for the receiving, management and distribution of their respective shares accordingly.

Premiums to be allowed to the officers and seamen in the province snow, upon the capture of any vessel of the enemy.

1740-41, chap. 2, § 11, and notes, and chap. 10.

*And be it further enacted by the authority aforesaid,*

[SECT. 2.] That all private ships or vessels of war, and trading vessels that have letters of marque, or commissions as private vessels of war, from the governour of this province, and are fitted out from and registered in this province, shall have the same præmium of ten pounds a head for every man of the enemy taken or destroyed by them, in any engagement with any ship of war or privateer of the enemy by them taken or destroyed during this present war, upon the coast of his majesty's dominions in America, between South Carolina and Newfoundland; the number of men, destruction of [the] ship or vessel, and place where, to be proved by three or more of their ch[e]i[e]f officers or men, before some ch[e]i[e]f magistrate, and by him certified; the præmiums aforesaid, to be distributed to the owners, officers and ship's company, according to their written agreements among themselves subsisting: all which præmiums shall be duly and seasonably paid out of the province treasury, in course, as all other payments are made. [*Passed January 15; published January 18, 1741-42.*]

Premium to the officers and seamen of private men of war, in case.