

Waggon, or other Carriage whatsoever, any Wheat, Indian Corn, or other Grain, or any Meal, Flour, or Bread, with Intent to export the same out of this Province; or to carry, export, or convey the same to any other Place whatsoever, not being under the immediate Government of the Lord Proprietary of this Province, altho' such Place may be within the Bounds of this Province, before the last Day of *September*, which shall be in the Year of our Lord, One Thousand Seven Hundred and Thirty Eight, shall forfeit all such Wheat, Indian Corn, or other Grain, and Meal, Flour, and Bread, together with Double the Value thereof: And also, that where any such Wheat, Indian Corn, or other Grain, or Meal, Flour, or Bread, shall be attempted to be carried or exported by Land out of this Province, or to any other Place, not being under the immediate Government of the said Lord Proprietary of this Province, altho' such Place may be within the Bounds of this Province; that the Carts, Waggon, or other Carriages, and the Harnesses therewith used, and the Horses, or other Draught Beasts used or employed for that Purpose; and all Horses and other Beasts of Burthen that shall carry, or be in any-wise used for the carrying out such Wheat, Indian Corn, or other Grain, Meal, Flour, or Bread, with all Sacks or Bags used for that Purpose, shall be forfeited to the Uses aforesaid: To be recovered, as aforesaid. And that in any Suit or Prosecution for any Breach of this Act, the *Onus probandi* shall lie on the Defendant.

*AND BE IT FURTHER ENACTED*, by the Authority, Advice, and Consent aforesaid, That all Sheriffs, Magistrates, and other His Lordship's Officers, are hereby impowered and required to aid and assist in putting this Act in Execution; and that any Officer or Officers putting this Act in Execution, shall, by Virtue hereof, be saved, and kept harmless, and indemnified from all Suits and Troubles whatsoever, for and concerning any thing by them, or any of them, in Pursuance of, and in Compliance with the said Proclamation, and according to the Tenor thereof, to prevent the Exportation of Grain, and in putting this Act in Execution: And that if any Action or Actions shall be commenced against any such Officer or Officers, he or they may plead the General Issue, and give this Act, and the special Matter in Evidence; and that if a Verdict be given against the Plaintiff, or that he be Nonsuit, or discontinue his Action, that the Defendant shall recover double Costs.

*PROVIDED ALWAYS*, That this Act, or any thing therein contained, or in the said Proclamation mentioned, shall not extend, or be construed to extend, to prohibit or restrain taking on board any Ship or Vessel, any Grain or Provision whatsoever, necessary for victualling such Ship or Vessel for its Voyage; but that such Ship or Vessel may be furnished and victualled for its intended Voyage, as if this Act had never been made; any thing therein contained to the contrary, notwithstanding.

*AND PROVIDED ALSO*, That it shall and may be lawful for any Person trading into this Province, and not being an Inhabitant thereof, to export out of this Province, any Wheat, Indian Corn, or other Grain, really and *bona fide* laden and taken on board any Ship or Vessel, in order to be exported before the issuing of the said Proclamation, and not belonging to any of the Inhabitants of this Province; any thing in the said Proclamation, or in this Act, to the contrary, notwithstanding.

*AND BE IT ENACTED*, by the Authority aforesaid, That when any Dispute shall happen concerning any Quantity of Wheat, Indian Corn, or  
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