

law heretofore made, which hath been found insufficient to prevent such evil practices; For remedy whereof,

C H A P. VIII.

XXI. Be it enacted, That it shall and may be lawful for any one justice of the peace in any county of this state, and he is hereby authorized and required, on information being made to him on oath or affirmation as aforesaid, by one or more credible witness or witnesses, of any extraordinary quantity of salt being purchased by or in the possession of any individual, inhabiting, residing, or being, within this state, who may have engrossed the same, and that the price thereof hath not been duly registered in the naval office or county court office, agreeable to the directions of the act, entitled, An act to punish forestalling and engrossing, and for other purposes, to issue his warrant, directed to the sheriff of the county, to cause such person or persons to come before him or some other justice of the peace of the county aforesaid, and if such person or persons, when brought before a magistrate, shall neglect or refuse to discover on oath or affirmation as aforesaid, the price for which such salt was purchased, and give bond in double the value of said salt, payable to this state, with good security, to be approved of by such justice, to sell the same at not more than thirty-five per cent. advance on the cost, it shall and may be lawful for the justice before whom such offender may be brought, and he is hereby required to call in two other justices of the peace of the same county to his assistance, and the said justices, or any two of them, may take possession of said salt and cause the same to be sold out at retail, in quantities not exceeding one peck for each person in the family of the purchaser, to any one person, at not more than thirty-five per cent. advance on the cost, according to the best information they can get, and shall and may retain sufficient to pay a person to be employed by them to sell and deliver out said salt, and shall pay the overplus to the owner or other person entitled to receive the same. And the said justices, or any two of them, shall have full power and authority to call on the sheriff or his deputy to aid and assist them in carrying this act into execution, which said sheriff or deputy shall and is hereby required to aid and assist such justices accordingly; and such engrosser or engrossers of salt, grain, or flour, shall on conviction, be punished by fine not exceeding treble the value of the merchandize so engrossed, and also by imprisonment, at the discretion of the court where tried, not exceeding twelve months, without bail or mainprize.

Any one justice may cause engrossers of salt to give security, &c.

XXII. And be it enacted, That the said justices, or any two of them, shall, and they are hereby required, immediately on determining such salt to have been engrossed, to bind over such engrosser, if present, by bond or recognizance with good security, to appear at the next general court to be held for the shire where the said salt shall be engrossed, there to answer for the offence aforesaid, or in default thereof shall commit such offender to gaol, there to remain until delivered by due course of law; and if such engrosser be absent, or shall reside in any other county within this state, the said justices, or any two of them, shall issue their warrant, directed to the sheriff of the county where the party doth reside, or may be found, to apprehend such offender, and when apprehended such sheriff shall carry the party before some justice of the county where apprehended, who shall bind him over as above directed.

Justices to bind over such engrossers to appear at the general court, &c.