

C H A P.  
XVII.

purchasing up grain and flour at the most exorbitant prices, render it impracticable to obtain timely and sufficient supplies for the operations of the army and navy, unless the most vigorous measures are without delay adopted :

Any justice  
may cause  
grain, &c. en-  
grossed, to be  
seized, &c.

XVI. Be it therefore 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 on oath, of any extraordinary quantity of grain or flour being purchased by, or in the possession of, any individual inhabiting, residing, or being, within this state, who may have engrossed the same, to issue his warrant, empowering the informer or informers to seize the same for the use of the United States ; and such justice of the peace shall forthwith call to his assistance two other justices of the peace of the same county, who (if the seizure shall be approved of by them, or a majority of them) shall retain the flour or grain so seized for the use of the said states, and shall, as soon as may be, transmit a certificate from under their hands of the quantity of grain or flour so seized, to the governor and council, who shall cause the substance of such certificate to be entered on their proceedings ; and the said justices, or any two of them, shall have full power and authority to call on the sheriff of the county, or his deputy, to aid and assist them in carrying this act into effect, which said sheriff, or deputy, shall and is hereby required to aid and assist such justices accordingly.

Justices to  
cause such  
grain &c, to  
be delivered to  
the commissary-  
general,  
&c.

XVII. And be it enacted, That the said justices, or any two of them, shall, and they are hereby required, as soon as may be after determining the grain or flour aforesaid to be liable to seizure, to cause the same to be delivered to the commissary-general, quarter-master-general, or either of their deputies, he or they paying the current price to the owner or person entitled to receive the same ; and if there shall be any diversity of opinion respecting the current price between the owner or person entitled to receive the same, and the commissary-general, quarter-master-general, or either of their deputies, the justices of peace aforesaid, or any two of them, are hereby authorized and required to fix and ascertain what the current price shall be deemed to be. And the said justices, or any two of them, shall, and they are hereby required, immediately on determining the grain or flour so seized to have been engrossed, to bind over the said engrosser or engrossers, if present, by bond or recognizance with good security, to be approved of by such justices, to appear at the next general court to be held for the shire where the said grain or flour shall be so engrossed, there to answer for the offence aforesaid, or in default of finding such security, shall commit the said offender or offenders to gaol, there to remain until delivered by due course of law. And if such engrosser or engrossers 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 or parties reside or may be found, to apprehend him or them, and when apprehended, such sheriff shall carry the party or parties before some justice of the county where apprehended, who shall bind him or them over as above directed.

XVIII. And