

C H A P.
XVII.

take the oath of fidelity to this state, and an oath diligently and impartially to execute the duty of waggon master, according to the best of his skill and knowledge, the said bond to be proved by the witnesses thereto, and to be lodged by the justice who may take the same with the clerk of the county, and be recorded amongst the county records, and an attested copy from the record shall be good evidence.

Governor and council may permit persons recommended, &c. to export wheat, &c.

XVI. And be it enacted, That it shall and may be lawful for the governor and council to permit any person or persons residing in any of the United States, who shall come recommended by the executive power of the state to which he or they shall belong, or any inhabitant of this state in whom the governor and council may confide, to export, transport, and carry away, any of the articles and commodities enumerated in the act, entitled, An act to prohibit for a limited time the exportation of wheat, flour, rye, Indian corn, rice, bread, beef, pork, bacon, live stock, peas, beans, oats, and other victual, into either of the said states, for the necessary use and consumption of any of its inhabitants, whose wants and distresses may prompt and excite them to make application for such licence, and render them proper objects of compassion, such person or persons, exporting, transporting, or carrying away, any of the said articles and commodities, and the master and two principal officers on board the vessel employed in such service, first taking his solemn oath, or (if a quaker, menonist, or dunker) affirmation, "That he or they will not, directly or indirectly, be privy to or concerned in any measure which may tend to defeat the arrival of such vessel at the port to which such vessel shall clear out, but that he or they shall and will take every measure to carry into effect the licence granted to such person or persons, for exporting, transporting, and carrying away, the articles and commodities aforesaid."

Such persons to take an oath, &c.

XVII. And be it enacted, That such person or persons, applying to the governor and council for such permit, shall previous to his or their shipping or putting on board any of the said articles or commodities, take an oath or affirmation, as the case may be, "That the said articles and commodities, to be by him or them shipped, exported, transported, and carried away, are intended for the necessary use and consumption of persons residing in the state for which his or their vessel shall clear out, and that the same shall not be sold, unless to persons of the same state who may be in want, and then at no more than actual cost and charges of transportation, together with an advance adequate to the risque, to be adjusted and settled by the executive power of such state."

XVIII. And, Whereas it is thought expedient and absolutely necessary, for the service of the common cause, to lodge a discretionary power with the governor and council to procure provisions of the bread kind for the continental army:

Governor and council may direct the commissary-general, &c. to take wheat, &c.

XIX. Be it therefore enacted, That the governor and council shall be, and are hereby authorized, empowered, and requested, in case they shall judge it absolutely necessary for the subsistence of the American army, but not otherwise, to direct the commissary-general, quarter-master-general, or the deputies to either, to take into their possession, for the use of the army of the United State, all wheat, wheat flour,

and