

C H A P.
XXXV.

XIII. **Provided** also, That no suit shall be brought on any bond taken as aforesaid, unless within two years after the date.

Proviso.

On suit proof
to lie on de-
fendant, &c.

XIV. **And be it enacted**, That in any suit which may be brought on any bond taken as aforesaid by the naval officer, the *onus probandi* shall lie on the defendant or defendants in such suit, and it shall be sufficient on the part of the state, in order to recover in such action, to allege any proper matter for that purpose, without proving the same.

Master to en-
ter into bond,
&c.

XV. **And be it enacted**, That before any vessel on board of which any flour shall be laden for exportation agreeable to this act, the master or commander of such vessel shall, before clearance, enter into bond, payable to the state, with two securities, known residents of this state, and of undoubted ability, in a sum equal to double the value of the flour intended to be exported, with condition, "That the wheat flour laden or intended to be laden on board such vessel shall be *bonâ fide* carried to and landed at the port or place for which such vessel shall be cleared, and that the said wheat flour, or any part thereof, shall not be carried to any port or place belonging or subject to the crown of Great-Britain, the danger of the seas and the force of the enemy only excepted;" and also before clearance, one of the owners of such vessel shall make oath or affirmation, as the case may require, before the naval officer, "That the said wheat flour, laden or intended to be laden on board the said vessel, and no part thereof, belongs to or is for the use or benefit of any subject of Great-Britain, or any inhabitant of Great-Britain or any of the dominions subject to the king of Great-Britain;" and the master or commander of such vessel shall also make oath before the said naval officer, "That he will use his utmost endeavours to prevent such wheat flour, and every part thereof, from being carried to any part of the dominions of the king of Great-Britain, or otherwise going or falling into the hands of the enemy, and that he 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 of her delivery.

XVI. **WHEREAS** grain and other provisions herein before prohibited to be exported, cannot be brought by water from Pocomoke river, or the sound thereof, or other parts of this state, without sailing on the waters of Chesapeake bay to the southward of the bounds of this state:

Grain laden in
Pocomoke ri-
ver not liable
to seizure, &c.

XVII. **Be it enacted**, That no grain or other provisions, laden on board any vessel in Pocomoke river, or the sound thereof, to be *bonâ fide* transported to other parts of this state, shall be liable to seizure or forfeiture, though found on the waters of Chesapeake bay below the bounds of this state, and not to the southward of a line drawn from the north point of the mouth of Pongoteague creek to the south point of the mouth of the river Patowmack; nor shall any vessel laden with such grain or other provisions, for the purpose of conveyance to other parts of this state, and not found below the line aforesaid, be liable to seizure or forfeiture.

Proviso.

XVIII. **Provided**, That nothing herein contained shall extend, or be construed to extend, to prohibit the governor and the council from giving