

giving licence for the transporting any of the commodities herein before mentioned, from this state, to any port or place out of the same, on the requisition of congress, or a committee of congress, or their board of war,

C H A P.
XXXV.

XIX. And be it enacted, That if any action or suit shall be commenced against any person for any thing done in pursuance of this act, the defendant in any such action or suit may plead the general issue; and give this act and the special matter in evidence, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant, and if the plaintiff shall be nonsuit, or discontinue his action after the defendant shall have appeared, or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant shall and may recover treble cost, and have the like remedy for the same as any defendant hath in other cases by law.

Defendant
may plead the
general issue,
&c.

XX. And be it enacted, That if any vessel belonging to this state shall sail from hence with provisions contrary to the prohibitions contained in this act, without any clearance, the owner thereof shall forfeit treble the value of the vessel and cargo, to be recovered by indictment or information in the name of the state, one half to the use of the informer, and the other half to the use of the state, and if such vessel shall ever return to this state, she, together with her tackle, apparel, and furniture, shall be liable to seizure and condemnation in the court of admiralty, one half to the use of the informer, and the other half to the use of the state.

Owners of ves-
sels sailing
contrary to
this act to for-
feit treble the
value, &c.

XXI. And be it enacted, That any thing in this act contained shall not extend to prohibit the exportation of so much of any of the above enumerated articles of provisions, as shall be necessary (in the judgment of the naval officer) to be carried in any vessel belonging to this state, for the diet, sustenance, and support, of the master, mariners, passengers, and others, in such vessel, not only to the port of delivery, but on her return to this state, or to prohibit the export in any vessel not belonging to this state, so much of the said articles as may be necessary as aforesaid, for her master, mariners, passengers, and others, to her port of delivery; and the master or other person clearing out any vessel shall, at the time of clearance, deliver to the naval officer an account on oath of all provisions permitted to be laden on board any vessel as aforesaid, and the naval officer shall endorse on or annex to the clearance, an account under his hand of all the articles allowed by him to be exported in such vessel for the use of the crew, agreeable to this act.

Provisions ne-
cessary for the
voyage may
be exported,
&c.

XXII. This act to continue and be in force until the first day of August seventeen hundred and eighty-one, and until the end of the next session of assembly which shall happen thereafter.

Continuance!