

CHAP.
XXVIII.

town, or county, or any other person to be appointed by them for that purpose, where the occasion may arise, commanding him to seize the papers of any person who may be so suspected as aforesaid.

Persons going to Great-Britain without leave, not to return, &c.

X. **And be it enacted,** That if any subject of this state shall hereafter, without the leave of the general assembly or the governor and the council, leave this state, during the present war, and voluntarily go to Great-Britain, or any of the British dominions, such person shall never return to this state without the leave of the general assembly, and if he shall presume to return at any time hereafter without such leave, he may and shall be arrested by any peace or militia officer, and committed to close gaol, and on conviction thereof in the general or any county court, such person shall forfeit all his property within this state, and be imprisoned without bail, or kept to hard labour for any time not exceeding three years, in the discretion of the court.

XI. **And,** Whereas such subjects who may hereafter leave this state without leave as aforesaid, and go to Great-Britain, or any of the British dominions as aforesaid, may not return to this state, and thereby expect to evade the penalties aforesaid;

Such persons to be outlawed, &c.

XII. **Be it enacted,** That on indictment against such person for such offence, in the general or any county court, *capias* shall issue to the sheriff of the county in which such person did live or reside, to arrest such person to answer such indictment, and on return by the sheriff that such person is not to be found in his county, the court to which such writ shall be returned, shall cause such person to be proclaimed and solemnly called and required, in full and open court, to appear and answer such indictment, and on default thereof entered on their record, the said court shall issue a writ to the sheriff who returned the *capias*, to cause such person to be proclaimed and solemnly called and required, at four several courts to be held for his county, in full and open court, to surrender himself to his custody to answer to the indictment found against him, and the said sheriff shall make return of such proclamation and default to the court from whence such writ issued, who shall record each return and default, and after such last return and default, such court shall thereupon proceed to adjudge such person to be outlawed, and such judgment of outlawry shall amount in law to a conviction of the person of the offence alleged in the indictment, in the same manner as if such person had been found guilty thereof by a petit jury, and thereupon the same judgment of forfeiture of property shall be given, as if the person had been tried and convicted in due course of law.

Penalty on persons going within the enemy's lines, &c.

XIII. **And be it enacted,** That if any citizen or subject of this state shall voluntarily go within the enemy's lines, or to their camp, or to any city, town or place, within the United States, in their possession, or on board of any of their vessels within the United States, or on the coast thereof, without licence in writing from the governor and the council, or some one of the general officers of the army of the United States, or some officer commanding a body of regulars or militia in actual service, such person, convicted thereof in the general or any county court, (or in case of invasion, convicted as aforesaid, or before the governor and the council, or before a board to be appointed by them of officers, to consist of two field and three commissioned officers) may be