

C H A P.  
XVII.

shall issue their warrant, directed to the sheriff of the county where the party doth reside, or may be found, to apprehend such offender, and when apprehended such sheriff shall carry the party before some justice of the county where apprehended, who shall bind him over as above directed.

Penalty on  
justices, &c.  
for neglect of  
duty.

XXI. And be it enacted, That in case any justice or sheriff, being called upon, shall refuse or neglect to do his duty as by this law required, he shall forfeit and pay the sum of five hundred pounds for each refusal or neglect.

Persons hav-  
ing more salt  
than necessary  
to sell the o-  
verplus, &c.

XXII. And be it further enacted, That if any person or persons in this state, hath or have purchased or laid up more salt than shall be sufficient for the use of his or their family or families for one year from this time, rating and allowing one peck of salt for each person in a family, such person or persons shall sell the overplus to the inhabitants of this state by retail, at the same rate and in the same manner and proportion as the persons who have engrossed salt as above mentioned are directed to sell the same; and if any person shall refuse to sell the overplus of his salt at the rate and manner aforesaid, he shall forfeit for every offence the sum of five pounds current money, and the overplus of his salt so refused to be sold, one half to the informer and the other half to the use of this state.

Agents, &c.  
guilty of en-  
grossing, to be  
fined 4 times  
the value, &c.

XXIII. And be it enacted, That if any continental agent, or other person in office under any appointment made by this state or the United States, shall be guilty of engrossing any grain, flour, or salt, or any other goods, wares or merchandises whatsoever, contrary to the true intent and meaning of this act, such agent or other person in office shall, on conviction, be fined by the court where tried four times the value of the article or articles so engrossed, shall be rendered incapable of holding and enjoying any place or office of trust or profit in this state, and may also be imprisoned, at the discretion of said court, for any time not exceeding twelve months, without bail or mainprize.

Defendant  
may plead the  
general issue,  
&c.

XXIV. And be it enacted, That if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this act, the defendant or defendants in any such action or suit may plead the general issue, and give this act and the special matter in evidence, at any trial to be had thereupon, 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 or defendants, and if the plaintiff shall be nonsuit, or discontinue his action after the defendant or defendants shall have appeared, or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have in other cases at law.

No person to  
act as commif-  
sary, &c. till  
licensed, &c.

XXV. And be it enacted, That no person or persons whatever shall be permitted to act as commissary-general, quarter-master-general, or as deputy to either, within this state, before he hath first been licensed by the governor and council of this state; and all persons applying for such licence shall produce their commission to the governor and council,  
who