

At a General Assembly begun and holden at Philadelphia the fourteenth day of October, A. D. 1754, and continued by adjournments until the thirtieth day of September, 1755, the following acts were passed:

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CHAPTER CCCC.

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AN ACT TO PREVENT THE EXPORTATION OF PROVISIONS, NAVAL OR WARLIKE STORES, FROM THIS PROVINCE TO CAPE BRETON OR TO ANY OTHER THE DOMINIONS OF THE FRENCH KING OR PLACES AT PRESENT IN POSSESSION OF ANY OF HIS SUBJECTS.

Forasmuch as the supplying the French with provisions, naval or warlike stores, in the present situation of affairs, may be of dangerous consequence to the British interest in North America, we pray that it may be enacted:

[Section I.] And be it enacted by the Honorable Robert Hunter Morris, Esquire, with the King's royal approbation Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietors of the Province of Pennsylvania and of the counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the publication of this act it shall and may be lawful to and for the collector of His Majesty's customs in this colony or the naval officer, who are hereby required and directed to administer to any person or persons having the command, or to any owner or owners, freighter or freighters, of any vessel bound out of this province laden with provisions of any kind whatever or any warlike or naval stores, an oath or affirmation in the following words, viz.:

That I, A. B., do swear (or I, A. B., do solemnly, sincerely and truly declare and affirm) that the provisions, naval or warlike stores, now laden on board the vessel called the \_\_\_\_\_, whereof I am commander (owner or freighter), is truly not intended to be discharged and put on shore at any port or place subject to the French King; and that the same shall not by my consent be there landed, or in any other way or manner whatsoever delivered to the French King or any of his subjects.

Which oath or affirmation the said collector or the naval officer is hereby empowered to administer and directed to cause the person taking the same to repeat; and also to require said master or owner of said vessel to enter into bond with sufficient security living in this province to His Majesty, his heirs and successors, in the penal sum of one thousand pounds current money of this province, with condition to the following effect, viz.:

The condition of the above obligation is such, that whereas A. B. hath laden on board the sloop or vessel called the C., D. E. commander, now riding at anchor in the port of F., within this province of Pennsylvania, sundry goods, viz. (here take in the several kinds and quantities of provisions, warlike and naval stores): If therefore the said provisions, warlike and naval stores shall not be landed and put on shore at any port or place subject to the French King, or in any other manner whatsoever delivered to the French King or any of his subjects, and the said A. B. shall return a certificate of his discharging the same, signed by the governor or the chief officer of the customs at the place where he discharged the same, of the due landing thereof within eighteen months, that then the above obligation to be void, or else shall be and remain in full force and virtue.

[Section II.] And be it further enacted by the authority aforesaid, That the said collector or naval officer, having received the certificate of the due landing of the said cargo from the governor or other chief officers of the customs of the place or places where landed, shall thereupon cancel the bond taken by virtue of this act.

[Section III.] And be it further enacted by the authority aforesaid, That if any master or commander or any owner of any vessel having on board provisions of any kind or any naval or warlike stores shall, before such vessel is cleared out from the collector and naval officer of this province, neglect or refuse to

attend such collector or the naval officer and to take such oath or affirmation as before directed and to enter into bond as aforesaid, such master or owner shall forfeit one thousand pounds money aforesaid, to be recovered in any court of record within this province where the same shall be cognizable with costs of suit, and that one-third part thereof shall be to the use of the prosecutor, and the other two-thirds shall be paid into the provincial treasury to be applied to the support of the government of this province.

[Section IV.] And be it further enacted by the authority aforesaid, That if any vessel laden with provisions, warlike or naval stores, shall depart this province without first having cleared said vessel from the collector and naval officer, the master, owner or freighter thereof, or if the collector of His Majesty's customs within this province shall clear out any vessel so laden as aforesaid without such bond being given as hereinbefore is directed, he or they so neglecting or offending shall each forfeit the sum of one thousand pounds, to be recovered with costs of suit as aforesaid, and to be applied in like manner as the other penalty hereinbefore-mentioned is ordered to be applied.

[Section V.] And be it further enacted by the authority aforesaid, That it shall and may be lawful for the collector or naval officer to receive for administering the oath or affirmation and drawing and taking the bond aforesaid the sum of two shillings and six pence and no more, and shall upon application of every such person or persons give immediate dispatch to the person or persons so applying.

And the more effectually to prevent the supplying the French with provisions or warlike stores from our back settlements:

[Section VI.] Be it further enacted by the authority aforesaid, That from and after the publication of this act no person or persons whatsoever shall directly or indirectly load or cause to be laden upon any horse, cart or other carriage any provisions or ammunition, or drive any horses, cattle, sheep or swine, to the intent or purpose to transport, carry or convey the same, or cause the same to be transported, carried or conveyed, to the French army or to any of the French settlements or encroach-

ments upon the continent of North America. Nor shall any person, on pretense of going to the English camp or any other pretense whatever, carry any ammunition or provisions or drive any horses, cattle, sheep or swine over the Allegheny Mountains without license from the commander-in-chief of the King's forces in those parts or from the commissary of the stores and provisions for that purpose first had and obtained under the penalty of five hundred pounds for each person so offending, one moiety to him or them that shall sue for the same by bill, plaint or information in any court of record within this province, and the other moiety to be paid into the provincial treasury, to be applied to the support of the government of this province.

And to encourage persons to discover the said crime, the first two persons who have been aiding, abetting or assisting in carrying out of provisions or warlike stores as aforesaid that shall inform any of the justices of the peace thereof, whereby the penalties appointed by this act may be recovered, the party or parties so discovering (not being owner or part owner of the said commodities) shall not suffer any of the penalties to be inflicted by this act.

[Section VII.] And be it further enacted by the authority aforesaid, That so much of this act as relates to the exportation of provisions, naval and warlike stores by sea, and every clause, article and thing therein contained, shall be and continue in force until the first day of the sixth month, called June, next, and from thence until the next sitting of assembly.

And that every article, clause and part thereof, so far as relates to the transporting provisions or ammunition from our back settlements to the French army, settlements or encroachments on the continent of North America, shall be and continue in full force for the space of twelve months next after the publication of this act and no longer.

Passed April 5, 1755. Confirmed by the King in Council, July 7, 1756. See Appendix XXI, Section I. Continued by the Act of Assembly passed June 18, 1755, Chapter 401. See the Act of Assembly passed May 18, 1756, Chapter 410.