

## CHAPTER CMLVIII.

A SUPPLEMENT<sup>1</sup> TO THE ACT ENTITLED "AN ACT TO PREVENT THE EXPORTATION OF BREAD AND FLOUR NOT MERCHANTABLE, AND FOR REPEALING, AT A CERTAIN TIME, ALL THE LAWS HERETOFORE MADE FOR THAT PURPOSE."<sup>1</sup>

(Section I, P. L.) Whereas it has been found, by experience, that sundry amendments and alterations are necessary in the act, entitled "An act to prevent the exportation of bread and flour not merchantable, and for repealing, at a certain time, all the laws heretofore made for that purpose."<sup>2</sup>

[Section I. (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That when any flour shall be offered for sale which shall, on trial (agreeable to the form mentioned and directed in the aforesaid act), be found packed in casks made of unseasoned materials, every person so offering the same for sale shall be adjudged to pay into the hands of the inspector, for each and every such cask so found, the sum of two shillings; and the owner of such flour shall have his remedy against the miller or cooper who has furnished the cask, for the damages which he may sustain.

(Section III, P. L.) And whereas the penalty of five shillings per day on bolters, millers and bakers, for not entering their respective brands with the clerk of the quarter sessions in the counties where they reside, is considered as exorbitant and severe:

[Section II.] Be it therefore enacted by the authority aforesaid, That the said penalty shall be thirty shillings for every such neglect, to be recovered as a debt under forty shillings, by any person that will sue for the same, on proof made that the said bolter, miller or baker has exercised his [said] employ-

<sup>1</sup> The original roll of this act is missing; and therefore it has been compared with the copy in the Act Books.

<sup>2</sup> Passed April 5, 1781, Chapter 936.

ment in manufacturing flour or bread for exportation, for one month, without having made such entry.

(Section IV, P. L.) And whereas the forfeiture of the casks and their contents, in case of deficiency of weight, is considered as too severe, since accidental deficiencies may happen, where no fraud was intended:

[Section III.] Be it therefore enacted by the authority aforesaid, That in all cases where casks of flour are found deficient in weight upon trial and examination, agreeable to the direction of the act aforesaid, the person so offering such deficient cask or casks shall forfeit, for every pound so wanting in weight, the sum of nine pence to be paid into the hands of said inspector.

(Section V, P. L.) And whereas, it has been found impracticable to brand all the casks of flour and bread offered for exportation with the arms of this state, agreeable to the directions contained in said act:

[Section IV.] Be it enacted by the authority aforesaid, That the said inspector shall stamp the said casks and the plugs (put into the holes made by the said inspector) with the letters S. P. And all casks with counterfeited stamps, as well as casks, the contents of which may have been changed after inspection, shall be liable to seizure and forfeiture, if offered for transportation out of this state.

(Section VI, P. L.) And whereas, doubts have arisen whether middlings can be exported out of this state under the aforesaid law:

[Section V.] Be it therefore enacted by the authority aforesaid, That it shall and may be lawful to export middlings; but every cask of middlings exported or offered for exportation shall, besides and exclusive of the miller's common brands, be branded by the miller with the word MIDDLLINGS at length, or be liable to seizure and forfeiture.

[Section VI.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That all fines and penalties herein mentioned shall be recovered and applied in manner and form as is directed by this act, and the act to which this is a supplement.

[Section VII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That so much of the fifth section of the above-recited act as imposes a fine of five shillings per day on bolters and millers for the neglect therein mentioned, and the clauses of forfeiture mentioned in the sixth section, and that part of the eleventh section which enjoins the branding casks with the arms of the state shall be and they hereby are altered and repealed.

Passed December 23, 1781. See the note to the Act of Assembly passed April 5, 1781, Chapter 934.

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#### CHAPTER CMLIX.

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#### AN ACT FOR THE BETTER REPAIRING AND AMENDING THE BANKS, DAMS, DITCHES, SLUICES AND FLOODGATES ON STATE-ISLAND.

(Section I, P. L.) Whereas numbers of the owners of the lands and meadows on the State island (late the Province island) by their petition have prayed that a law may be passed to compel the several owners of the said island to contribute to the support and repairs of the banks, dams, ditches, sluices and floodgates thereon, suggesting that the same are much out of repair for want of some provision being made by a law for this purpose, which being right and reasonable:

[Section I.] (Section II, P. L.) Be it therefore enacted and it is hereby enacted by the Representatives of the Freemen of the Commonwealth of Pennsylvania in General Assembly met, and by the authority of the same, That William Bingham, Elijah Weed, Charles Miller, William Turnbull and John Taylor, or any three of them, be and they are hereby constituted, authorized and appointed to be managers of the said island, and John Wilcocks, treasurer, to be, remain and continue until the second Monday in January next; and that on the said second Monday in January next, and on the second Monday of January in every year forever, the owners of the said island, or as many of them as shall think fit to attend, by