

at any time hereafter be afflicted by any infectious or contagious fever, the judges of the supreme court, or any two of them, be, and they are hereby, authorized to hold the terms in any convenient place, in any county in the state, for the purpose of hearing law arguments, and receiving the returns of the different sheriffs, and deciding on more legal questions.

Passed March 15, 1800. Recorded L. B. No. 7, p.

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#### CHAPTER MMCXLIV.

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A FURTHER SUPPLEMENT 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>

Whereas flour made of rye and Indian corn, having become considerable articles of exportation, it is necessary to subject them to inspection, in order to establish their reputation abroad. Therefore:

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That, from and after the first day of September next, all flour made of rye or Indian corn, which shall be brought to any port or place within this state for exportation, shall be packed in casks made of good seasoned materials, of the like dimensions and hooped, nailed and branded with the brand of the miller or bolter, and with the number of the cask, and with the weight of the flour therein, in like manner as in and by the above recited act, and the several supplements thereto, is directed (except as to the casks number one, mentioned in the above recited act to which this is a supplement) and under the like penalties and forfeitures as are therein specified, as to the flour called merchantable; and moreover each cask shall have

<sup>1</sup>Passed April 5, 1781, Chapter 936.

the tare or weight of the cask marked on it, and shall be branded with the words rye flour, or kiln-dried corn meal, at length, as the contents may be, in a fair and distinguishable manner, before it leaves the mill or bolting-house where the same shall have been first packed. And that, from and after said first day of September next, no merchant or other person whatsoever shall lade or ship any flour made of rye or Indian corn, on board any ship or vessel for exportation out of this state, before the same shall be offered to the view and examination of the inspectors of the port or place from whence the same shall be intended to be exported, and before the [same] shall be inspected, approved and adjudged by the said inspector, or one of his deputies (or the three persons to be appointed by one of the magistrates, in the manner by the said recited act directed, as to merchantable flour) to be of a due degree of fineness, and of a quality fit to be exported as merchantable, and the said inspector, or his deputy, shall try and search the same, and plug up the holes he shall make, in the same manner, and shall receive the same reward, as by the said act is directed concerning merchantable flour.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That if the inspector, or his deputies, or the three persons to be appointed by a magistrate as aforesaid, shall adjudge and determine that any such flour of rye or Indian corn, so to be branded, shall not be of due fineness, and of a quality in all respects fit to be exported as merchantable, he or they shall cause the said words rye, flour, or kiln-dried corn meal, so branded, to be scratched out and obliterated; and the person or persons offering or intending the same for sale or exportation, shall pay for the inspection thereof, the same reward as if the same had been adjudged to be fit for exportation.

(Section III, P. L.) And whereas the packing of flour made of rye or Indian corn, in casks of larger dimensions than are warranted by the said recited act or its supplements, has been practised and found to be beneficial to the exporters.

[Section III.] Be it further enacted by the authority aforesaid, That it shall and may be lawful for millers and bolters, to pack any flour of rye or Indian corn in strong, tight hogsheads, to be well made of good seasoned white oak, and to be

bound and tightened with sixteen good and sufficient hoops, to be well secured with not less than four nails in each chine hoop, and three wooden plugs or pegs at the upper edge of each upper bilga hoop, and to be of the following dimensions, viz. : the staves to be of the length of forty-one inches, and the diameter of the head to be twenty-seven inches, and the diameter at the bung or bilgh to be thirty-one inches, to contain eight hundred pounds net weight, having the tare or weigh of the cask marked on it, and branded before it leaves the mill, bolting house or place where the same shall have been packed, as hereinbefore directed, with the addition of number 1800, such miller and bolter complying with all and every the directions of the said recited acts of assembly, as to the casks number 2, 3, and 4, therein mentioned, and of this act, and subject to the same regulations, fines, forfeitures and penalties; and the said inspector, or his deputy, shall be entitled to demand and receive, for the inspection of each and every such cask branded number 1800, as aforesaid, from the person or persons offering the same for inspection, the sum of three cents, and no more.

(Section IV, P. L.) And whereas rye flour, of superior quality, has become an article of considerable demand for exportation, and will command an advanced price:

[Section IV.] Be it further enacted by the authority aforesaid, That any miller or bolter may, in addition to the words "rye flour," heretofore directed, brand each and every cask containing flour of rye with the word "fine," before it leaves the mill or bolting-house, where the same shall have been first packed, and before it shall be shipped or laden on board any ship or vessel for exportation out of this state, it shall be offered to the view and examination of the inspector, or one of his deputies, who shall try and search the same, as hereinbefore directed, and if the said inspector, or his deputy, shall judge the same to be of sufficient fineness and quality, in all respects, to be exported as rye flour "fine," he shall plug up the holes he shall make, in the same manner as is hereinbefore directed, but if the said inspector, or his deputy, shall adjudge any such flour of rye, having thereon the brand of "fine," to be inferior to the standard quality which shall entitle it to be shipped and exported as "fine," he

shall be, and he is hereby, authorized and directed to scratch out and obliterate the word "fine" from such brand mark. Provided also, That if any dispute shall arise between the inspector and the owner or possessor of such flour, concerning the fitness thereof to pass as "fine," such owner or possessor may have the same tried and determined, in such manner and form as is directed by the act to which this act is a supplement, for settling disputes concerning the quality of flour therein mentioned.

[Section V.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That all and every the regulations, fines, penalties and forfeitures, in and by the said first recited act, and the several supplements thereto, and by this act made, imposed and inflicted on any person or persons who should or shall grind, bolt, make casks for, pack, brand, after the same shall have left the mill or bolting-house, transport, export, or otherwise have anything to do with common or superfine flour, and who should or shall offend against the said recited act, or the supplement thereto, or against this act, shall, from and after the said first day of September next, extend and be construed to extend to such persons and offences as to flour made of rye or Indian corn, as fully and effectually as if the articles rye flour and kiln-dried corn meal was inserted with flour in the said acts, or as if the said regulations, fines, penalties and forfeitures were herein repeated.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That all and singular the fines, forfeitures and penalties, imposed and directed to be levied by this act, may be sued for and recovered by the said inspector, or his deputies, in like manner as other debts of the like amount may or can be sued for and be recovered by the laws of this commonwealth, together with costs of suit, and shall be applied in like manner as is directed by the act to which this is a supplement.