

1784.

CHAPTER · MXCVIII.

An ACT to establish and incorporate a public school at Germantown, in the county of Philadelphia.

Passed 15th September, 1784.—Private Act.—Recorded in Law Book No. II. page 372.

CHAPTER MXCIX.

An ACT to enable Marcus Hulings, and his heirs and assigns, to erect, build and maintain a dam over Shearman's creek, in the county of Cumberland, near the mouth of the same creek.

[THE dam to be built and maintained agreeable to the rules and regulations, and the party to be subject to the pains and penalties for the breach thereof, of the act of February 26th, 1773, ante. page 406, chap. 674.]

Passed 15th September, 1784.—Private Act.—Recorded in Law Book No. II. page 369.

CHAPTER MCI.

A SUPPLEMENT to the act, entitled "An act to prevent the exportation of bread and flour not merchantable."

[Original act vol. 1, p. 523, chap. 925, and see the notes thereto subjoined.]

SECT. I. WHEREAS the acts for the inspection of flour and other staple articles of this state, have been found by experience to be highly beneficial, by establishing a fair reputation at foreign markets, and thereby increasing the demand for our commodities: And whereas superfine flour has latterly become a principal article of exportation from this state, and the laws in being have not made provision to guard against frauds in the exportation thereof:

SECT. II. *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, from and after the first day of November next, all flour exported or intended to be exported from this state, which shall be branded or otherwise marked as superfine, shall, before it shall be laden on board of any ship or vessel for exportation, be inspected and examined by the proper officer appointed for the inspection of flour, or his deputy, in the manner directed and described in the eleventh section of the act, to which this act is a supplement: And if the said inspector shall judge the same to be of sufficient fineness and quality in all respects to pass, and be exported as good superfine flour, of the proper merchantable standard, and as such he shall brand the same with the arms of this state, as is directed in and by the said recited act, to which this act is a supplement, in a fair and distinguishable manner; provided that every miller or bolter of such flour may, if he shall think proper, mark every such cask with such brand of superfine, before the same shall be removed from the place*

Inspection of flour, as directed and regulated.

of bolting. And if the said inspector shall adjudge any such flour, having thereon the brand of superfine, to be inferior to the standard quality, which shall entitle it to be shipped and exported as superfine, he shall be, and he is hereby, authorized and directed to cut out and totally destroy such superfine 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 superfine, such owner or possessor shall and may have the same tried and determined in such manner and form as is directed and described in the said act, to which this act is a supplement, for settling disputes concerning the quality of flour therein mentioned, and the parties are hereby declared to be severally entitled to the like benefits and advantages, and subjected to the like penalties, according to the decision, in such mode as is therein directed and described, in cases of a similar nature.

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Proviso.

SECT. III. *And be it enacted by the authority aforesaid*, That if any person or persons whatsoever shall impress or brand the said mark of superfine on any cask or casks of flour, after the same shall have been sent or carried away from the mill or bolting-house where the same shall have been packed, and before it shall have been inspected and allowed as superfine by the proper officer, as aforesaid, and shall be thereof legally convicted, such person shall be subject to the like penalties and punishments, as are directed to be inflicted for the counterfeiting or impressing counterfeited brand-marks, by the act to which this act is a supplement. And if any person shall wilfully impress, or cause to be impressed, the brand-mark of superfine, or the similitude thereof, on any cask of flour, after it shall have been inspected as aforesaid, or shall wilfully and fraudulently ship, or attempt to ship or put on board of any ship or vessel for exportation, any flour, the cask whereof shall bear the said mark or brand of superfine, knowing the same to be of inferior quality, or with design to deceive and to evade the regulation hereby intended, every such person, being legally convicted of any such offence or offences, shall suffer and pay the penalty of one hundred pounds for every such offence; which fine shall be recovered by the Attorney-General, for the use of this commonwealth; every cask of flour so fraudulently branded, or fraudulently shipped, or intended to be shipped, as aforesaid, shall moreover be seized and forfeited, one half for the use of the commonwealth, and the other half to the inspector, or other person who shall prosecute such offender to conviction.

Penalties on impressing.

Forfeitures, &c.

SECT. IV. *And be it further enacted by the authority aforesaid*, That all the powers and authorities vested in and given to the inspectors of flour, and their deputies, for the execution of the duties enjoined on them by the aforesaid act, to which this act is a supplement, are hereby extended and vested in the said officers, for executing the duties they are to perform by virtue of this act, as fully and amply, as if the same were enumerated and more particularly mentioned and expressed.

Clause to extend powers.

Passed 15th September, 1784.—Recorded in Law Book No. II. page 370. (*)

(*) See a supplement passed in 1811, (vol. 5.)