

SECT. XLIII. *And be it further enacted by the authority aforesaid,* 1789.
That the said Mayor, Aldermen and Common Council-men shall, once in every year, cause to be published, a just and true account of all the monies which shall have accrued to them, in their corporate capacity, during the year next preceding such publication, and also of the disposition thereof; and shall also lay a copy thereof before the General Assembly.

The corporation to publish their accounts annually.

SECT. XLIV. *And be it further enacted by the authority aforesaid,* That as often as any doubts shall arise touching this act, the same shall, in all courts of law and equity, and elsewhere, be construed and taken most favourably for the said corporation.

This act to be construed most favourably for the corporation.

Passed 11th March, 1789.—Recorded in Law Book No. III. page 458.

CHAPTER MCCCLXXXIV.

A SUPPLEMENT to an act, entitled "An act more effectually to prevent unfair practices in the packing of beef and pork for exportation, and to regulate the exportation of flaxseed, butter, and biscuit in kegs."

SECT. I. WHEREAS the commercial reputation and general interest of this commonwealth has been greatly advanced by divers wholesome laws, subjecting the produce thereof to regular and careful inspection, and it is right and proper, that the exports from this state should conform, as nearly as may be found convenient, in package and value, with those of other countries, which are vended from time to time in the same foreign market: And whereas sundry defects in the law relating to salted beef and pork, passed the eighteenth day of August, one thousand seven hundred and twenty-seven, have been discovered by observation and experience:

[Original act vol. I, pa. 170, chap. 295.]

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, every tierce, barrel or half barrel, in which salted beef or pork shall be exposed to sale within this commonwealth, or exported therefrom, (except such as shall have been brought or imported from any place or places without the bounds and limits of this commonwealth, with the name of the state, town or place, from which the same shall have been brought or imported, branded, or marked at full length, and in a plain, legible manner thereon, and which shall be sold or exported as aforesaid, with the same name so as aforesaid branded or marked thereon, and not as the beef or pork of Pennsylvania,) shall be made of sound and well seasoned white oak timber, with at least fourteen good and substantial hoops thereon, which hoops shall be fastened and secured at each end of such tierce, barrel or half barrel, by iron nails, and at each bilge by wooden pins or pegs.

Dimensions, make, quality, and brand of the barrels, &c. for packing beef or pork for exportation.

[See act of 24th of Sept. 1789.]

SECT. III. *And be it enacted by the authority aforesaid,* That every tierce in which salted beef or pork (except as is before ex-

Contents of every tierce

1789.

cepted) shall be exposed to sale in this commonwealth, or exported therefrom as aforesaid, shall be of the gauge of forty-two gallons of wine measure, and shall contain three hundred pounds of sound and merchantable meat, well packed, and secured with salt and pickle; and if such tierce contains beef, it shall not have therein more than three legs or shins, and if it contains pork, it shall not have therein more than three heads.

Contents of
every barrel;

SECT. IV. *And be it enacted by the authority aforesaid,* That every merchantable barrel of salted beef (except as is before excepted) which shall be exposed to sale in, or exported from this commonwealth, shall be of the gauge of twenty-eight gallons of wine measure, and shall contain no more than two shins. And every merchantable barrel of salted pork (except as is before excepted) which shall be exported from, or exposed to sale within this commonwealth, shall be of the gauge of twenty-nine gallons wine measure; and each shall contain two hundred pounds of cured meat, and no barrel of pork shall have more than two heads therein. And every half barrel of beef and pork shall be of the gauge of fifteen gallons of the measure aforesaid, and shall contain one hundred pounds of cured meat, and if beef, not more than one shin; and if pork, not more than one head. And every cask, whether tierce, barrel, or half-barrel, shall be distinctly branded with the name of the cooper or the person putting up the same.

and contents
of every half
barrel and
cask.

Cooper's
brand.

SECT. V. *And be it enacted by the authority aforesaid,* That every tierce, barrel or half barrel, in which salted beef or pork (except as is before excepted) shall be exposed to sale within this commonwealth, or exported therefrom as aforesaid, shall, before the sale or exportation thereof, be carefully inspected and examined by the Inspector of beef and pork for the time being, who shall pass as merchantable, and brand with the arms of this commonwealth, each and every tierce, barrel, and half barrel, being of the materials and dimensions herein before directed and described, and which shall respectively contain the quantity and quality of salted beef or pork herein before mentioned and required, packed and secured in the manner aforesaid. And the said Inspector for the time being shall (with a proper instrument for that purpose to be provided) erase, scratch out, and effectually deface, the cooper's or packer's brand mark and marks off and from each and every tierce, barrel or half-barrel, containing salted beef or pork, as aforesaid, which shall not be of the materials and dimensions herein before directed and described, and in which such beef or pork shall not be of the quantity and quality, and packed and secured in the manner herein before also directed and described; and if the same cannot be rendered merchantable according to the requisitions and meaning of this act, by salting, pickling, repacking, and coopering thereof, then the said Inspector for the time being shall impress and brand a distinct mark of a cross, thus X (each stroke of the said cross being at least three inches long) upon one head of every such tierce, barrel or half-barrel, containing beef or pork, so as aforesaid incapable of being rendered merchantable.

Of the in-
spection of
salted beef
or pork for
exportation.

[See act of
24th of Sep-
tember, 1789,
as to the
brandmark.]

SECT. VI. *And be it enacted by the authority aforesaid,* That all 1789.
 and every person and person, who shall sell and deliver any tierce, barrel or half barrel of salted beef or pork (except as is before excepted) to the purchaser or purchasers thereof, before the same has been duly examined by the said Inspector, and branded with the arms of this commonwealth, in the manner herein before directed, or who shall refuse to allow and suffer the said Inspector, in the cases aforesaid, to erase, scratch out, and effectually deface the cooper's or packer's brand mark and marks off and from any tierce, barrel or half barrel, and, if need be, to impress and brand thereon the said mark of a cross, as aforesaid, shall forfeit and pay for each and every tierce, barrel or half barrel, so sold and delivered, and for each and every tierce, barrel or half barrel, from which he, she or they shall refuse to allow and suffer the said cooper's or packer's brand mark and marks to be erased, scratched out, and effectually defaced, as aforesaid, and for each and every tierce, barrel or half barrel, whereon he, she or they shall refuse to allow and suffer the said mark of a cross to be impressed and branded, as aforesaid, the sum of ten shillings. And all and every person and persons, who shall, by any means whatsoever, wilfully erase, scratch out, and deface the said mark of a cross, after the same has been duly impressed and branded by the said Inspector upon any tierce, barrel or half barrel, as aforesaid, shall forfeit and pay the sum of ten pounds for each and every tierce, barrel or half barrel, off and from which the said mark of a cross shall be erased, scratched out and defaced; the said last two mentioned sums of money or forfeitures to be recovered and applied in the manner hereinafter provided and declared.

Of selling beef or pork for exportation before inspection or contrary to the act.

SECT. VII. *And be it further enacted by the authority aforesaid,* That the said Inspector for the time being shall and may lawfully demand, receive and take the sum of six-pence, and no more, for inspecting, examining and branding, as aforesaid, each and every tierce, barrel or half barrel, of salted beef or pork, which shall be sold at the port of Philadelphia, or exported therefrom, whether the same be sold for ship stores or exportation; and also the further sum of one shilling and six-pence for each tierce, and of one shilling for each barrel or half barrel, of salted beef or pork, which he, the said inspector, shall re-pack, together with such other and further allowance and compensation, as it shall and may be reasonable and customary to allow and give for the expense and trouble of cooperage, in putting the same into good and merchantable order and condition. *Provided nevertheless,* That it shall and may be lawful to and for the owner and owners of the said salted beef or pork to employ any person and persons, other than the said Inspector for the time being, to do, execute and perform the cooperage necessary to put the same in good and merchantable order and condition, as aforesaid; and in that case the said Inspector for the time being shall not be entitled to have and receive any allowance or compensation whatsoever, for or on account of the said cooperage.

Pay of the Inspector.

But the cooperage may be done by others as well as the Inspector.

SECT. VIII. And whereas divers frauds and impositions have been committed in the package of sundry other commodities, as well

1789.

Of the pack-
age and in-
spection of
flaxseed for
exportation.

as salted beef and pork, the frequent repetition whereof must be equally injurious to the interest and reputation of the state, and which it is the duty and desire of the legislature, as far as may be, to prevent: *Therefore be it enacted by the authority aforesaid,* That from and after the first day of November next no flaxseed shall be exported from this commonwealth into the kingdom of Ireland, or into that part of Great-Britain called Scotland, before the same is well cleansed and prepared, nor in any other manner than is hereby described and directed; that is to say, the staves of each and every cask in which flaxseed shall be exported from this commonwealth, as aforesaid, shall be made of sound oak, and each and every of the said casks, besides a lining hoop on the outside round the chimes thereof, shall have at least twelve other good and substantial hoops thereon, and the same shall be fastened and secured by at least three iron nails in each of the chime hoops, and by the like number of iron nails in each of the quarter hoops; and each and every of the said casks shall be made as nearly straight as possible; and there shall be two sizes of the said casks, and no more, to wit, the largest size thereof shall be in length two feet and nine inches, and in diameter at each head twenty-four inches, and shall contain seven bushel of good and merchantable flaxseed; and the smaller size thereof shall contain three bushels and an half bushel of like good and merchantable flaxseed; and each and every of the said casks shall be branded with the initial letter of the christian name and surname, at full length, of the person who cleaned and prepared the flaxseed therein put up and contained: and if any cask or casks containing flaxseed, shipped with the intent to export the same, as aforesaid, not of the materials, make and dimensions, and shall not, respectively, contain the quantity and quality of flaxseed herein before directed and described, or if the said cask and casks have not been first duly branded as aforesaid, all and every person and persons, who shall ship the same as aforesaid, shall forfeit and pay the sum of twenty shillings for each and every cask which shall not be of the materials, make and dimensions, or which shall not respectively contain the quantity and quality of flaxseed herein before directed and described; and shall also forfeit and pay the further sum of five shillings for each and every cask so shipped, which hath not been first duly branded as aforesaid; the said two last mentioned sums of money or forfeitures to be recovered and applied in the manner hereinafter provided and declared.

[SECT. IX. Of the package of butter for exportation. Repealed 7th of January, one thousand eight hundred and four, chap. 2391.]

Of the pack-
age of bis-
cuit for
exportation.

SECT. X. *And be it further enacted by the authority aforesaid,* That, from and after the first day of August next, each and every keg in which biscuit shall be exported from this commonwealth, or therein exposed to sale for exportation, shall contain at least seven pounds of good and merchantable biscuit. And all and every person and persons, who shall, at any time from and after the said first day of August next, export biscuit from this commonwealth, or therein expose the same to sale for exportation, in any keg or kegs,

containing a less quantity and inferior quality of biscuit, than is hereby directed, shall forfeit and pay the sum of five shillings for every keg so exported, or exposed to sale for exportation, contrary to the meaning and direction of this act; to be recovered and applied in the manner hereinafter provided and declared. 1789.

SECT. XI. *And be it further enacted by the authority aforesaid,* That all and singular the forfeitures and penalties in and by this act, or the act to which this is a supplement, set, declared, appointed and imposed, shall be, one-half thereof to the guardians of the poor in the city of Philadelphia, for the use and benefit of the poor of the said city, and the districts annexed thereto, and the other half thereof to the informer, or him, her or them, who will sue for the same, to his, her or their own use and benefit; and if the said forfeitures and penalties be under the sum of ten pounds, the same shall and may be sued for, and recovered in like manner as debts under ten pounds may be sued for and recovered within this commonwealth, or if the said forfeitures and penalties be above the said sum of ten pounds, the same shall and may be sued for and recovered by bill, plaint or information, in any court of record within this commonwealth, wherein no essoin, protection, or wager of law, nor more than one imparlance shall be allowed.

Forfeitures and penalties, how to be recovered and applied.

SECT. XII. *And be it further enacted by the authority aforesaid,* That so much and no more of the said recited act, entitled "An act more effectually to prevent unfair practices in the packing of beef and pork for exportation," passed the said eighteenth day of August, in the year of our Lord one thousand seven hundred and twenty-seven, as is by this act altered, or supplied, be, and the same is hereby, repealed, annulled, and made absolutely void, any thing therein contained to the contrary thereof, in any wise, notwithstanding.

Repeal of so much of the former as is affected by this act.

Passed 12th March, 1789.—Recorded in Law Book No. III. page 472.

CHAPTER MCCCLXXXVII.

An ACT in aid of the Callow-hill Market, in the township of the Northern-Liberties.

SECT. I. WHEREAS the holding of open market at a fixed and known place, where buyer and seller may at stated times meet together, has been found by long experience to be beneficial to both, not only by presenting before the buyer a greater choice as to kind and quality, according to his ability to purchase, but also by affording to the seller a better and more steady price for his provisions, according to their goodness and just value, and a more certain and expeditious sale thereof: And whereas convenient market-houses have, at a considerable expense, been erected in the township of the Northern-Liberties, in the county of Philadelphia, which by law are declared to be a public market-place for the buying and selling of all sorts of provisions, victuals, and things of the country produce and manufacture, and is commonly known by the name of Callow-

[Ante. page. 69, chap. 1015, and page 331, chap. 1159.]