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CHAPTER MCCCCXXI.

An ACT to authorize George Frey, of Middletown, in the county of Dauphin, to support a mill-dam across Sweetara creek; and to oblige him to maintain a free navigation for boats, and other craft, along his mill race, into his mill-dam.

SECT. I. [GEORGE FREY, his heirs and assigns, empowered to support and maintain a mill dam over *Sweetara* creek, in the county of *Dauphin*, in such manner as to enable the fish at all times to pass and repass, &c. with as little obstruction as may be; provided the water in said dam (except in floods) shall not be more than three feet higher than it would have been, had there been no dam erected. The race to be at all times effectually supplied with water, for boat and canoe navigation, free from toll, or other charge, with as much ease, and little impediment to navigation as may be; and the act of March ninth, one thousand seven hundred and seventy-one, (vol. 1, page 324, chap. 627,) so far repealed. Penalty for neglect, and non performance of the provisos and conditions of this act.]

Passed 11th September, 1789.—Recorded in Law Book No. III. page 531.

CHAPTER MCCCCXXII.

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."

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

SECT. I. WHEREAS the species of wheat flour commonly called middlings, having become a considerable article of exportation, it is necessary to fix a standard for its quality and fineness, in order to establish its reputation abroad :

Middlings, how to be packed;

SECT. II. *Be it 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 of wheat, commonly called middlings, which shall be brought to any part 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 weight of the flour therein, in like manner as in and by 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," is directed, and under the like penalties and forfeitures, as are therein specified as to the flour called merchantable; and moreover, each cask shall be branded with the word "Middlings," at length, before it shall be removed from the mill or bolting-house where the same shall have been first packed; and that from and after the said first day of November next, no merchant or other person whatsoever shall lade or ship any such middlings on board any ship or vessel, for exportation*

branded;

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, his deputies (or 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 quality to be exported as middlings; 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 for inspecting the same, as by the said act is directed concerning merchantable flour. 1789.

and inspect-
ed.

SECT. III. *And it is further enacted by the authority aforesaid,* That if the said inspector, or his deputies, or the three persons to be appointed by the magistrate as aforesaid, shall adjudge and determine that any such flour of wheat, so to be branded "Middlings," shall not be of a due fineness and quality to be exported as and for middlings, he or they shall cause the said word middlings, so branded, to be scratched out and obliterated, and the owner of such middlings, or 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.

Proceeding,
in case the
flour is con-
demned.

SECT. IV. *And it is hereby further enacted by the authority aforesaid,* That all and every the regulations, fines, penalties and forfeitures, in and by the said 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 otherways have any thing 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 November next, extend, and be construed to extend to such persons and offences, as to the species of wheat flour called middlings, as fully and effectually as if the article middlings was inserted with flour in the said acts, or as if the said regulations, fines, penalties and forfeitures, were herein repeated.

Regulations,
fines, &c.
in the case of
other flour,
extended to
middlings.

SECT. V. And whereas the packing of wheat flour in half casks, containing ninety-eight pounds neat weight, although not warranted by the said recited act, or its supplements, has been practised, and is found to be beneficial in the stowage of ships and vessels: *It is therefore enacted by the authority aforesaid,* That it shall and may be lawful for millers and bolters to pack any flour of wheat, for exportation, in casks made of staves of the length of twenty-three inches, and of the diameter at each head of twelve inches and an half, such miller and bolter complying with all and every the directions of the said recited acts of Assembly, as to the casks No. 1, 2 and 3, therein mentioned, and subject to the same regulations, fines, forfeitures and penalties, and branding the said smaller casks No. 4, 98, after the said first day of November next.

Alterations
in the pack-
age of wheat
flour

SECT. VI. And whereas one of the reasons for requiring all casks, wherein flour intended for exportation shall be packed, to be made of certain given dimensions, is to prevent the loss of space in

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stowing the same in ships or vessels, and the non compliance with the said requisition is of material disadvantage to the merchants and owners of ships: And whereas the price of the casks (which under the said recited act was the measure of the penalty for such non-compliance) is by the general practice of selling flour by the barrel, sunk and confounded therewith: *It is therefore hereby enacted by the authority aforesaid, That whenever any flour of wheat, sold for exportation, shall be offered to the view and examination of the said inspector, or his deputies, he or they shall, and each and every of them is hereby enjoined and required to view and measure each and every cask and casks thereof, and if they, or any of them, shall be found to vary from the dimensions in the said act, and in this act contained, the person or persons who shall have sold the same for exportation as aforesaid, shall forfeit and pay, for every cask thereof, which shall be found to vary as aforesaid, the sum of one shilling and six-pence, to be sued for and recovered by the said inspector, or his deputy or 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, which, with all other the fines, forfeitures and penalties, imposed and directed to be levied by this act, shall be applied in like manner, as is directed by the act to which this is a supplement. (t)*

Penalty, in case casks are not of the legal dimensions;

and how recoverable.

Passed 12th September, 1789.—Recorded in Law Book No III. page 532.

(t) See an act passed 13th of February, 1811. Flour of rye and Indian corn may be packed in strong tight puncheons, made of good seasoned red oak, with pine or other heads, suitable for molasses casks, &c.

CHAPTER MCCCXXIV.

An ACT for annexing part of the county of Washington to the county of Allegheny.

SECT. I. WHEREAS the inhabitants of that part of the county of Washington, which is included in the boundaries hereinafter mentioned, have by their petition represented to this House their remote situation from the seat of justice, and prayed to be annexed to the county of Allegheny; and the prayer of the petitioners appearing just and reasonable:

SECT. II. *Be it 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 all that part of Washington county, included by the following lines, viz. Beginning at the river Ohio, where the boundary line of the state crosses the said river, from thence in a straight line to White's mill, on Raccoon creek, from thence by a straight line to Armstrong's mill, on Miller's run, and from thence by a straight line to the Monongahela river, opposite the mouth of Perry's run, where it strikes the present line of the county of Allegheny, be, immediately after the running of the said lines, and the same is hereby annexed to the said county of Allegheny, and to all intents and purposes constituted a part of the same.*

[For the act establishing the county of Allegheny, see ante, page 448 chap. 1348.]

Boundaries of the part of Washington annexed to Allegheny county.