

space of two years from and after the sixth day of April next ensuing and no longer.

Passed March 14, 1761. Referred for consideration by the King in Council, February 15, 1762, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIV, Section II, and the Acts of Assembly passed March 4, 1763, Chapter 487; September 29, 1770, Chapter 615.

CHAPTER CCCCLX.

AN ACT TO REGULATE THE ASSIZE OF BREAD.

Whereas by an act of the general assembly of this province passed in the twelfth year of the reign of King William the Third, entitled "An act for the assize of bread,"¹ it is provided that the several sorts of bread therein mentioned shall be made according to a table calculated by troy weight, which, being found inconvenient and it being necessary to make some alterations in the weight of the several sorts of bread and some further provisions for the better regulation of bakers:

[Section I.] Therefore be it enacted by the Honorable James Hamilton, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and Richard Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania and counties of Newcastle, Kent and Sussex upon Delaware, by and with the advice and consent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the publication of this act every baker who makes any loaf bread for sale shall mark all the bread he shall bake with his name and with the following letters to distinguish the several sorts: That is to say, with W. for white, M. for middling, and B. for brown, all which said several sorts of bread shall be made in the manner following: That is to say the white bread shall be made of good, fine flour, the middling bread shall be made of good middlings and the brown bread shall be made of good ship-stuff, so called, all

¹ *Infra.*

of which shall be well baked; and when wheat is commonly sold for money at any of these several rates hereafter mentioned, the several sorts of bread shall be respectively according to the following table by avoirdupois weight:

Price of wheat per bushel.			Penny P. white.		Penny P. middling.		Penny P. Brown.	
£	s.	d.	oz.	qr.	oz.	qr.	oz.	qr.
	2	6	13	1	16	0	21	0
	3	0	12	1	15	1	19	3
	3	6	11	0	13	2	17	0
	4	0	10	2	12	1	15	3
	4	6	10	0	11	1	14	0
	5	0	9	1	10	1	13	0
	5	6	8	2	9	2	12	1
	6	0	8	0	9	0	11	3
	6	6	7	2	8	2	10	2
	7	0	7	0	8	0	10	0
	7	6	6	2	7	2	9	0
	8	0	6	0	7	0	8	0

And so proportionably under the penalty hereafter mentioned; and each baker shall be allowed six pence on the bushel above the assize: That is to say, when wheat is at five shillings per bushel they shall make their bread as if wheat was at five shillings and six pence. And every baker shall make the several sorts of bread, mentioned in this table and no other; and the loaves shall be a penny loaf or roll, a two-penny, a four-penny, an eight-penny and a twelve-penny loaf.

[Section II.] And be it further enacted by the authority aforesaid, That it shall and may be lawful to and for the respective clerks of the markets in each city, borough or town within this province and they are hereby authorized and required to enter into all houses, either with a constable or without, where they shall suspect or be informed of any bread baked for sale at least twice in every month, to examine and weigh all such bread and to seize all such as they shall find deficient in weight or fineness or not duly marked and baked as aforesaid:

And if any baker shall refuse to suffer the clerk of the market

to enter his house or to weigh and examine his bread, he shall be liable to the penalty of five pounds for every such refusal, to be recovered before any justice of the peace; of all which forfeitures the said clerk of the market shall have one-third part for his trouble and shall deliver the other two-thirds to the overseers of the poor, for the use of the poor in the city, borough or town where the same is seized.

[Section III.] And be it further enacted by the authority aforesaid, That if any baker thinks himself aggrieved by the seizure of his bread he may appeal to any magistrate, who shall hear and judge of the validity thereof, and if it shall appear to the said magistrate that the said bread was justly seizable, the baker thereof shall forfeit and pay the sum of ten shillings, one-half thereof to be paid to the clerk of the market and the other half to the overseers of the poor [for the use of the poor] as aforesaid, with reasonable charges; but in case the said bread, upon trial, shall be found made of due weight and fineness and marked and baked as this act directs, it shall be returned to the baker and the charges shall be paid by the officer; and if any person purchasing bread shall find it deficient in any of the particulars before mentioned he or she may make complaint thereof to any justice of the peace who is hereby required to hear and examine the said complaint, and if he is satisfied of the deficiency of the said bread (provided it be complained of on the same day it was bought), he shall cause the baker thereof to pay double [the value] for every loaf so complained of and found deficient, which money shall be delivered to the overseers of the poor for the use of the poor.

[Section IV.] And be it enacted by the authority aforesaid, That it shall and may be lawful to and for the clerks of the market to weigh all butter brought unto or being in the town market to be sold by weight, which, if found deficient, shall be seizable, one-third part thereof for the use of the said clerk, and the other two-third to be by him delivered to the overseers of the poor for their use as aforesaid.

[Section V.] And be it enacted by the authority aforesaid, That the above-recited act passed in the twelfth year of the

reign of King William the Third, entitled "An act for the assize of bread,"¹ be and the same is hereby repealed and made void.

[Section VI.] And be it further enacted by the authority aforesaid, That this act shall continue in force for the space of seven years and from thence until the end of the next sessions of Assembly and no longer.

Passed March 14, 1761. Referred for consideration by the King in Council, February 15, 1762, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXIV, Section II, and the Act of Assembly passed March 21, 1772, Chapter 641.

CHAPTER CCCCLXI.

AN ACT TO ENABLE THOMAS YORKE, JAMES CHILD, DANIEL RUNDLE, PETER CHEVALIER AND ENOCH STORY, OR ANY THREE OF THEM, TO SELL THE PROVINCIAL SHIP OF WAR.

Whereas by an act of general assembly of this province passed in the forty-first year of his late Majesty's reign, entitled "An act for granting to His Majesty a duty of tonnage upon ships and vessels and also certain duties upon wine, rum, brandy and other spirits and a duty upon sugar for supporting and maintaining the provincial ship of war [for protecting the trade of this province] and other purposes for His Majesty's service,"² it was, amongst other things, enacted that certain rates and duties should be levied and collected upon all ships, sloops and other vessels coming into or going out of this province and also upon wine, rum, brandy and other spirits and a duty upon sugar for supporting and maintaining the provincial ship of war until the thirty-first day of December, one thousand seven hundred and sixty. And whereas by one other act, passed in the thirty-second year of the same reign, entitled "A supplement to the act, entitled 'An act for granting to His Majesty a duty of tonnage upon ships and vessels and also certain duties upon wine, rum,

¹ Passed November 27, 1700, Chapter 51.

² Passed April 29, 1758, Chapter 432.