

CHAPTER CCCCLXIX.

A SUPPLEMENT TO AN ACT, ENTITLED "AN ACT TO PREVENT THE EXPORTATION OF BAD OR UNMERCHANTABLE STAVES, HEADING, BOARDS AND TIMBER."¹

Whereas it has been found by experience that the act, entitled "An act to prevent the exportation of bad or unmerchantable staves, heading, boards and timber,"¹ is in sundry respects defective and wants amendment, for remedy whereof:

[Section I.] 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,² and by the authority of the same, That if any person or persons whatsoever after the publication of this act shall willingly or wittingly intermix and mingle any cullings of staves or heading with any merchantable staves or heading which have been once culled, and shall offer the same for sale to any person or persons whatsoever, every such person shall forfeit and pay the sum of twenty shillings for every hundred of cullings, and so in proportion for any greater or lesser quantity so intermixed with merchantable staves and heading as aforesaid.

[Section II.] And be it enacted by the authority aforesaid, That no deputy or deputies appointed or to be appointed by virtue of the above-recited act of assembly shall cull or count any staves or heading whatsoever without having first obtained from his principal an order in writing under his hand for culling and counting the same, under the penalty of five shillings for every thousand staves or heading which he or they shall so cull and count without such order as aforesaid; and that every deputy or deputies aforesaid shall, within six hours after he

¹ Passed April 21, 1759, Chapter 439.

or they shall have so culled and counted the staves and heading so directed by the said order to be culled and counted, make return to his or their principal aforesaid a true and exact account of his or their transactions therein, under the penalty of one shilling for every hour he shall neglect or refuse so to do, in order that such transactions may be regularly entered in the book directed by the before-recited law to be kept by the principal officer aforesaid.

[Section III.] And be it enacted by the authority aforesaid, That in order to detect any fraudulent practices against this act, every officer or his deputy or deputies aforesaid shall, at the time of culling or counting any staves or heading, with a proper instrument to be made for that purpose, mark or impress with the letter C. near the middle, every defective or unmerchantable stave or piece of heading by him or them so culled and counted, and that for every hundred of such cullings by the said officer or his deputies so counted and marked, they or either of them shall demand and receive the sum of three pence and no more, to be paid one-half by the seller and the other half by the purchaser of such cullings as aforesaid.

[Section IV.] And be it further enacted by the authority aforesaid, That the penalties and forfeitures inflicted in and by virtue of this act shall be recovered, appropriated and applied in the same manner and to the same uses and purposes as the penalties and forfeitures imposed on offenders in and by virtue of the said recited act of assembly are directed to be recovered and applied, and in no other manner whatsoever.

Passed April 22, 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 note to the Act of Assembly passed April 21, 1759, Chapter 439. Repealed by the Act of Assembly passed May 20, 1767, Chapter 562.