

## CHAPTER DCCCLV.

A SUPPLEMENT TO THE ACT, ENTITLED "AN ACT TO PREVENT THE EXPORTATION OF BREAD AND FLOUR NOT MERCHANTABLE" <sup>1</sup> AND TO THE ACT WHICH IS AN AMENDMENT THEREOF. <sup>2</sup>

(Section I, P. L.) Whereas often in the shipping of flour for exportation a number of persons others than the owners of ships in which it was exported have put each his own private venture in one and the same vessel, and the officers appointed for the execution of the said acts, having charged the owners of such ships or vessels and with the fees due to him for the trying of the whole cargo of flour, has lost the greater part of his said fees, when after the departure of the vessel it remained unknown who were the right owners of the flour laden therein:

(Section II, P. L.) And whereas by reason of the indefinite size of flour casks and the discretionary methods of packing the same, as hitherto used by millers and bolters, our flour trade has been greatly perplexed, which in the general opinion of the merchants, millers and other persons using that trade might otherwise be carried on with greater ease and less subject to frauds and abuses if as well the dimensions of the cask as the quantity or weight of the flour to be packed therein, according to its different sizes was by law reduced to a certain standard. For remedying of which said inconveniences to the officer and difficulties of the trade:

[Section I.] (Section III, P. L.) 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 flour casks used in the trade of exportation shall after the publication of this act, be made of sound and thoroughly seasoned staves of the length of twenty-seven inches, well tightened with ten hoops, sufficiently nailed and with respect to the width or circumference to be distin-

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<sup>1</sup> Passed January 19, 1733-4, Chapter 332.

<sup>2</sup> Passed February 21, 1767, Chapter 548.

guished by the denominations of number one, two and three; That is to say, the cask of number one shall have heads of a diameter of eighteen inches; casks of number two, heads of a diameter of sixteen inches and a half; and the casks of number three, heads of a diameter of fifteen inches and a half. And that the millers or bolters when they brand their cask with their usual brand mark, as is directed by law to which this is a supplement, shall likewise brand the same cask with the character or mark of its size, to-wit, the cask measuring a diameter of eighteen inches, on its head they shall brand number one, those of sixteen inches and a half number two, and those of fifteen inches and a half number three. And the said millers and bolters shall put in the cask of number one and well pack the full quantity or weight of two hundred and twenty-four pounds of flour; in the cask of number two the full quantity or weight of one hundred and ninety-six pounds; and in the cask number three the full quantity or weight of one hundred and sixty-eight pounds of flour.

[Section II.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That if any miller or bolter shall use or pack with flour for exportation any other cask than of the three several sizes and dimensions aforesaid, branded or not branded with a number, and shall sell, or offer to sell the same as merchantable, he shall forfeit the value or charge in his account of such cask to the purchaser of the flour. And if the miller or bolter shall pack any sort or size of cask as aforesaid short of the quantity or weight of flour, which by the directions of this act he should have put in the same such miller or bolter shall forfeit such defective barrel or barrels and the flour therein contained to the overseers of the poor of the place where the forfeitures shall happen.

(Section V, P. L.) Provided always, That the millers and bolters shall be allowed during the space of six months from the publications of this act to sell and dispose for exportation their flour in barrels of any other dimensions which are already made, and on their hands, or the stuff to make the same fitted before the passing of this act.

[Section III.] (Section VI, P. L.) And be it further enacted

by the authority aforesaid, That the masters of ships and other vessels lading flour for exportation from this state, shall, after the publication of this act, in their manifests (which in pursuance of an act of general assembly, entitled "An act for regulating navigation and trade in this state,"<sup>3</sup> they are obliged to exhibit and deliver to the naval officer thereof) expressly and distinctly declare how many barrels of flour are shipped on board their respective vessels, and by whom each parcel thereof is shipped; to which manifest or declaration the officer for trying flour shall have free access and liberty to take notes and abstracts thereof. And if any master of a vessel shall refuse or neglect to make such return to the naval officer as aforesaid, he shall besides the penalty in the said act for regulating navigation and trade set on masters of vessels neglecting to deliver such manifests forfeit to the officer of the flour act the amount of his fees for trying the whole cargo of flour shipped on board of his vessel.

[Section IV.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That the fines and forfeitures set and imposed by this act shall or may be recovered in the same manner as the fines and forfeitures set and imposed by the act to which this is a supplement.

[Section V.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the fees of the officer for putting in execution the several laws of this state, made for regulating the exportation of bread and flour, shall, from and after the publication of this act [be] fifteen pence for each barrel.

[Section VI.] (Section IX, P. L.) And be it further enacted by the authority aforesaid, That so much of the said act to prevent the exportation of bread and flour not merchantable, and of the act to amend the said act, as is hereby altered or supplied shall be, and is hereby repealed and declared null and void.

Passed October 9, 1779. See the note to the Act of Assembly passed January 19, 1733-34, Chapter 332. The act in the text was repealed by the Act of Assembly passed April 5, 1781, Chapter 936.

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<sup>3</sup> Passed September 10, 1778, Chapter 815.