

CHAPTER MDXII.

A SUPPLEMENT TO THE SEVERAL ACTS OF ASSEMBLY OF THIS STATE
RELATIVE TO THE INSPECTION OF STAVES, HEADING AND
LUMBER.

(Section I, P. L.) Whereas it frequently happens that staves and heading are suddenly taken from the lumber yards on board vessels without affording an opportunity to inspect and cull the same:

And whereas the penalty [for] mixing cullings and unmerchantable staves and heading with such as have been adjudged merchantable is confined to the exporter and thus the innocent may suffer while the guilty escape:

And whereas the acts of assembly of this state for regulating the exportation of lumber have been found in other respects inadequate to the purposes intended:

[section I.] (Section II, P. L.) 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 all staves and heading brought into the city of Philadelphia, the District of Southwark or Northern Liberties shall before they are delivered to the person or persons to whom the same may be consigned or sold and before the same are received into any lumber-yard or other place for sale or exportation, be inspected and culled by the officer or officers appointed by the laws now in force or by his or their deputy or deputies and if any person or persons shall offend in the premises he or they shall forfeit the staves or heading delivered or received as aforesaid one half to the use of the commonwealth the other half to the use of the informer.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That if any person or persons shall mix any staves or headings which shall have been adjudged merchantable with any cullings or unmerchantable staves or

headings or with any staves or heading which have not been inspected, he or they shall forfeit the whole so mixed, one half to the use of the commonwealth and the other half to the use of the informer.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That it shall and may be lawful to export staves commonly called and known by the name of Leogan staves and used for sugar hogsheads, provided they be four feet six inches long, three and an half inches broad, including sap, if it be sound and half an inch thick, any law, usage or custom to the contrary notwithstanding subject nevertheless to the same inspection as other staves.

[Section IV.] (Section V, P. L.) And be it further enacted by the authority aforesaid, That the officer appointed for inspecting and culling staves shall have four shillings and two pence for every thousand of pipe staves and hogshead headings and three shillings and four pence for every thousand of all other kind of staves and heading. Provided always, That nothing in this act contained shall debar any cooper from purchasing a sufficient quantity of staves or heading uninspected and unculled to make up into casks or to use in the way of his business within this state.

[Section V.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That so much of the act of assembly entitled "An act to prevent the exportation of bad or unmerchantable staves, heading, boards and timber"¹ and of the act entitled "An act to amend the act entitled 'An act to prevent the exportation of bad and unmerchantable staves, heading boards and timber'"² as is hereby altered and supplied shall be and is hereby declared to be repealed and made void and that the residue thereof shall be and is hereby declared to be in full force and virtue to all intents and purposes as if this act had not been made.

[Section VI.] (Section VII, P. L.) Be it further enacted by the authority aforesaid, That any person whatever who shall act as a deputy inspector of staves, heading or lumber not

¹ Passed April 21, 1759, Chapter 489.

² Passed May 20, 1767, Chapter 562.

being lawfully authorized and deputed so to do shall forfeit and pay for every such offence the sum of five pounds to be recovered as debts of like value may be recovered by the laws of this commonwealth, one half to the use of the person suing the other half to the use of the poor of the city and county of Philadelphia.

Passed April 5, 1790. Recorded L. B. No. 4, p. 119.

CHAPTER MDXIII.

A SUPPLEMENT TO AN ACT ENTITLED "AN ACT TO ESTABLISH A BOARD OF APPEAL WITHIN THE SEVERAL COUNTIES OF THIS STATE AND TO GRANT EXONERATIONS IN CASES OF MILITIA FINES."¹

(Section I, P. L.) Whereas it hath been represented to this house that the commissioners authorized to receive appeals for militia fines have in some counties exercised unlimited powers by granting certificates of exoneration to all delinquent applicants without any distinction or exception whatever, which renders it necessary to define the powers which shall be exercised by said board in future:

Therefore:

[Section I.] (Section II, 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 the said commissioners constituting a board as by the said act is directed shall have no power from and after the enacting hereof to grant exoneration to any person whatever liable to a fine or fines by reason of non-attendance in the militia except such person be actually insolvent or unless it shall appear to them that such person was at the time or times when he was required to perform such duties in the militia unable to attend by reason of indisposition of body or unavoidable absence from the city or county in which such person shall reside.

¹Passed March 27, 1789, Chapter 1416.