

five per centum on the sales of all articles manufactured by the said criminals, be, and the same is hereby, repealed.

[Section VI.] (Section VI, P. L.) And be it further enacted by the authority aforesaid, That this act, and those parts of the act, entitled, "An act to reform the penal laws of this state,"<sup>1</sup> not altered, supplied or repealed by this or any other act, shall be and continue in force for the term of three years, and from thence to the end of the next session of the general assembly.

<sup>1</sup>Chapter 1516.

Passed April 18, 1795. Recorded L. B. No. 6, p. 22, etc.

See Act of April 4, 1799, Chapter 2051, perpetuating Act in text.

(1) See Ante.

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## CHAPTER MDCCCLXII.

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### A SUPPLMENT TO THE LAWS FOR PREVENTING THE EXPORTATION OF FLOUR NOT MERCHANTABLE.<sup>1</sup>

[Section I.] (Section I, P. L.) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all flour or middlings which shall be brought to any port or place within this state for sale, as and for the flour of wheat, which shall be found, upon examination made by the inspector of flour, or his deputy, to be or contain a mixture of the flour of Indian corn with flour of wheat, shall be condemned, and the person or persons offering the same for sale shall be adjudged to pay three dollars for each and every cask so condemned, one fourth to the use of the inspector and the other three-fourths to the use of the poor of the city, township, or place where the owner or owners shall reside, if in the state of Pennsylvania; but if they do not reside in the state, it shall be paid to the managers of the Pennsylvania Hospital, for the use of that institution; and the flour so condemned shall not be exported, under all and every the penalties and forfeitures provided by law against the exportation of flour condemned as

not merchantable. Provided always, That if the owner, possessor or consignee of any flour or middlings, which shall be adjudged to be condemned by the inspector of flour, agreeably to the terms of this act, shall believe himself aggrieved thereby, it shall and may be lawful for the said owner, possessor or consignee to make an appeal from the decision of the said inspector, to any magistrate of the city, county or place where such forfeiture has been made, who shall thereupon issue his warrant to three judicious disinterested persons, one thereof to be named by himself, one other by the inspector, and the other by the owner or consignee of the flour, directing them carefully to examine such flour or middlings, and forthwith make report to him touching the mixture of the same; and if they, or any two of them, shall report that the same is, or doth contain, a mixture of flour of Indian corn with the flour of wheat, the said magistrate shall confirm the judgment of the inspector, and the party appealing shall pay all costs and charges accruing from such appeal; and if the three triers appointed as aforesaid shall find and report that the same is unmixed flour of wheat, the said magistrate shall adjudge the same to be restored to its original situation, and all costs and charges accruing shall be paid by the inspector who condemned the same; but no appeal from the judgment of the inspector shall be made, unless the same is prosecuted within twenty days after condemnation of any parcel or parcels of flour or middlings by virtue of this act.

[Section II.] (Section II, P. L.) And be it further enacted by the authority aforesaid, That all penalties herein mentioned shall be recovered, in manner and form, as is directed by the act, entitled, "An act to prevent the exportation of bread and flour not merchantable, and for repealing at a certain time all laws heretofore made for that purpose."<sup>2</sup>

Passed April 18, 1795. Recorded L. B. No. 5, p. 486.

<sup>1</sup>See Act passed April 5, 1781, Chapter 936.

<sup>2</sup>Passed April 5, 1781, Chapter 936.