

C. 14-15. Anno secundo Victoriae Reginae. A. D. 1839.

Dated at _____ aforesaid, this _____ day of _____, one thousand eight hundred and _____

(Signature or Signatures.)

J. COLBORNE.

Ordained and Enacted by the authority aforesaid, and duly passed in Special Council, at the Government House in the City of Montreal, the Eighth day of March, in the second year of the Reign of Our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the year of Our Lord, one thousand eight hundred and thirty-nine.

By His Excellency's Command,

W. B. LINDSAY,

Clerk Special Council.

C A P. XV.

An Ordinance to regulate the curing, packing, and inspection of Beef and Pork, intended for exportation.

Preamble.

WHEREAS the regulations heretofore made for the Curing, Packing and Inspection of Beef and Pork, have been found to be insufficient; And whereas it would be advantageous of the trade of this Province, that more ample and suitable regulations should be made for the purposes above mentioned:—Be it therefore Ordained and Enacted by His Excellency the Governor of the Province of Lower Canada, by and with the advice and consent of the Special Council for the affairs of the said Province, constituted and assembled by virtue of and under the authority of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the first year of the Reign of Her present Majesty, intituled, "*An Act to make*

46, Geo. III.,
suspended.

make temporary provision for the Government of Lower Canada;—And it is hereby Ordained and Enacted by the authority of the same, that a certain Act passed in the forty-fourth year of the Reign of His late Majesty, King George the Third, intituled, “An Act to regulate the curing, packing and inspection of Beef and Pork, to be exported from the Province of Lower Canada,” and all other Acts, or parts of any Acts relating in any manner to the packing, curing, or inspection of Beef and Pork, or the remuneration of any Inspector thereof, in any wise contrary to the provisions of this Ordinance shall be, and are hereby suspended during the time this Ordinance shall be in force.

Governor may
appoint a
Board of Exa-
miners to as-
ertain abilities
of applicants
for office of In-
spector.

Oath.

II. And be it further Ordained and Enacted by the authority aforesaid, that from and after the passing of this Ordinance, it shall be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province, for the time being, to appoint in each of the Cities of Quebec and Montreal, and the Town of Three-Rivers, respectively, as the case may be, or in the vicinity thereof, at least five skilful persons to be and constitute a Board of Examiners of Applicants for the office of Inspector of Beef and Pork, and from time to time to remove such Examiners and appoint others in their stead, and such Examiners shall, before acting as such, severally take and subscribe the following oath, before one of Her Majesty’s Justices of the Court of King’s Bench, for the District :—“ I, A. B. do swear
“ that I will not, directly or indirectly, personally, or by means of any person or
“ persons on my behalf, receive any fee, reward, or gratuity whatever, by reason of
“ any function of my office of Examiner, and that I will therein well and truly in
“ all things act, without partiality, favour or affection, and to the best of my know-
“ ledge and understanding—So help me God.”

Governor may
by Commission
appoint Inspec-
tors of Beef
and Pork at
Quebec, Mont-
real and Three
Rivers.

To be recom-
mended by
Examiners.

III. And be it further Ordained and Enacted by the authority aforesaid, that the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, shall, and may, from time to time, by an Instrument under his Hand and Seal at Arms, nominate and appoint an Inspector of Beef and Pork for each of the Cities of Quebec and Montreal, and for the Town of Three-Rivers, and may, from time to time, remove any such Inspector, and appoint another in his stead; but no person shall be appointed as such Inspector, who shall not, previously to his appointment as such, have undergone an examination before one of the aforesaid Boards of Examiners, as to fitness, character and capacity, in the manner herein-after provided; nor shall any person be appointed as Inspector of Beef and Pork, at Quebec, Montreal, or Three Rivers, unless approved of and recommended as such by such Board of Examiners, or a majority of them, pursuant to such examination;

To find securities before entering on office.

nation ; and before such Inspector shall act as such, he shall furnish two good and sufficient sureties, jointly and severally with himself, for the fulfilment of the duties of his office, that is to say, the Inspector to be appointed for Montreal, in the sum of five hundred pounds currency, the Inspector to be appointed for Quebec, in the sum of five hundred pounds currency, and the Inspector to be appointed for Three Rivers, in the sum of five hundred pounds currency ; and such sureties shall be furnished to the satisfaction of the Board of Examiners, and of the Governor, Lieutenant Governor, or person administering the Government, and a Bond executed to Her Majesty, her heirs and successors, in the forms used with regard to the sureties from persons appointed to offices of trust in this Province ; and such Bond shall avail to the Queen, and to all persons whomsoever, who shall, or may be aggrieved by any breach of the conditions of such Bond.

Bond to be made double.

IV. And be it further Ordained and Enacted by the authority aforesaid, that the Bond which shall be executed by such Inspector, and his sureties, by virtue of this Ordinance, shall be made double, and it shall be taken and received by one of the Justices of the Court of King's Bench, for the District, and one part thereof shall remain in the office of the Prothonotary, or Clerk of the Court, and the other shall be delivered to and remain with the Board of Examiners, and any person shall have communication, and copy of any such Bond at such Prothonotary's office.

Board of Examiners may require the attendance of Assistants at examination of candidates.

V. Provided nevertheless, and be it further Ordained and Enacted by the authority aforesaid, that the Board of Examiners, to be constituted as aforesaid shall be, and they are hereby authorised and required, before proceeding to the examination of any person who may be hereafter desirous of being appointed an Inspector of Beef and Pork, as aforesaid, to require the attendance of two or more persons of the greatest experience and practice in the packing, salting, curing, and inspection of Beef and Pork, and the fullest knowledge of Beef and Pork, as to quality and packing ; and the said Board in their discretion, are also hereby further authorised to permit any other person or persons to be also present at such examination ; and each and every of the said persons so required or permitted to attend, may, in the presence of the said Board, propose questions to the person then under examination, touching and respecting his knowledge as to quality, packing, and curing of, and other matters relating to, or connected with the Inspection of Beef and Pork.

An oath to be taken by Inspectors.

Oath,

To be recorded in office of Prothonotary for District.

Each Inspector may appoint one or more Assistants

VI. And be it further Ordained and Enacted by the authority aforesaid, that each person examined, approved and recommended as aforesaid, shall, if appointed an Inspector of Beef and Pork at Quebec, Montreal, or Three Rivers as aforesaid, before he shall act as such, take and subscribe an oath before one of Her Majesty's Justices of the Court of King's Bench for the District in which he shall be appointed, in the words following, that is to say:—" I, A. B., do solemnly swear, that I will faithfully, truly, and impartially, to the best of my judgment, skill, and understanding, do and perform the office of an Inspector of Beef and Pork, according to the true intent and meaning of an Ordinance, intituled, " An Ordinance to regulate the curing, packing, and inspection of Beef and Pork, intended for exportation," and that I will not, directly or indirectly, by myself, or by any other person or persons whomsoever, trade or deal in Beef or Pork of any description, otherwise than for the use and consumption of my own family, during the time I shall continue such Inspector, and that I will not directly or indirectly, brand or suffer to be branded, any cask of Beef or Pork, but such as shall be sound and good, and of the quality designated by such brand, to the best of my knowledge.—So help me God." Which oath shall be recorded in the Office of the Prothonotary of the Court of King's Bench for the District in which the same shall be taken, and the Prothonotary shall deliver to such Inspector an attested copy thereof when thereunto required, and shall give communication of the original to any person who shall apply for a communication thereof.

VII. And be it further Ordained and Enacted by the authority aforesaid, that each of the Inspectors of Beef and Pork for Quebec, Montreal, and Three Rivers, respectively, may appoint one or as many more Assistants as he shall deem necessary, for whose acts he shall be, and hereby is declared to be, responsible; which number of Assistants he shall be bound to increase from time to time, on a requisition in writing to that effect, from the Governor, Lieutenant Governor, or person administering the Government, and each of such Assistants shall be subject to the approval of the said Board of Examiners, and skilful persons sitting with them, in the manner provided, for the examination of Inspectors; and before entering upon the duties of his office, shall furnish two good and sufficient sureties to Her Majesty, in the sum of two hundred and fifty pounds currency, for the District of Montreal, and two hundred and fifty pounds currency for the District of Quebec, and two hundred and fifty pounds currency, for the District of Three Rivers, for the due performance of his duties, by a Bond to be taken, made, recorded, kept, and delivered in the manner provided with regard to the Bonds given by Inspectors, and shall take and subscribe the following oath, before any of Her Majesty's Justices of the Peace for

Oath.

for the District in which he may be appointed, which Justice is hereby required and authorised to administer the same:—" I, A. B., do swear that I will diligently, faithfully and impartially execute the office of Assistant to the Inspector of Beef and Pork, for the District of _____, according to the true intent and meaning of an Ordinance of this Province, intituled, " An Ordinance to regulate the curing, packing, and Inspection of Beef and Pork, intended for exportation," and that I will not, directly or indirectly, personally, or by means of any person or persons in my behalf, receive any fee, reward, or gratuity whatever, by reason of my office of Assistant to the said Inspector (except my salary from the said Inspector,) and that I will not, directly or indirectly, trade in the articles of Beef and Pork or be, in any manner, concerned in the purchase or sale of Beef and Pork, except so far as may be necessary for myself and family—So help me God."

Appointment of Assistant Inspector to be confirmed by Governor.

VIII. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that such Assistant Inspector shall not enter the duties of his office, before his appointment and nomination shall be approved of and confirmed by the Governor, Lieutenant Governor, or person administering the Government of this Province.

In case of death or removal of Inspector, successor how to be appointed.

IX. And be it further Ordained and Enacted by the authority aforesaid, that whensoever a vacancy shall occur in the office of Inspector of Beef and Pork, by the death, resignation, or removal of such Inspector, an Inspector of Beef and Pork, may, by the Governor, Lieutenant Governor or person administering the Government of this Province, be appointed in his room from among the Assistant Inspectors, (should any such be found properly qualified;) but no such Assistant Inspector shall be so appointed an Inspector, until he shall have been deemed competent to the duties required of such an Inspector, by the said Board of Examiners, and skillful persons sitting with them as aforesaid, and shall have obtained a certificate to that effect, and transmitted the same to the Governor, Lieutenant Governor, or person administering the Government of this Province; nor shall he enter upon the duties of his office until he shall have given the security required by this Ordinance, and otherwise complied with the conditions thereof regarding Inspectors.

Duties of Inspector.

X. And be it further Ordained and Enacted by the authority aforesaid, that the Inspector and Assistant Inspectors, so to be nominated and appointed, are severally hereby

hereby authorised and required, before the shipment of any Beef or Pork for exportation, or the exportation thereof, to cut up, salt, pack and cure ; or, if already packed, to unpack, and examine throughout, (adding salt, if necessary,) each and every barrel or half barrel of Beef and Pork, according to the requirements of this Ordinance, and coopering up such casks in the proper manner : Provided always, that such inspection may be made either at the store, shop, or warehouse of such Inspector, which he is hereby required to keep in a convenient situation for that purpose, or at some store within the limits of the Cities of Quebec and Montreal, or of the Town of Three Rivers, respectively, at the option of the proprietor or possessor of such Beef or Pork.

To keep a sufficient number of metal brands with name of place and name of Inspector.

All Pork to be branded according to its quality.

When inferior to brand of manufacturer.

Fee for inspecting and branding.

XI. And be it further Ordained and Enacted by the authority aforesaid, that the Inspector, and Assistant Inspectors shall provide and have, as aforesaid, a sufficient number of iron or other metal brands for the use of themselves, wherewith they shall respectively brand, or cause to be branded, immediately after inspection, on each and every barrel or half barrel of Beef and Pork, the words " Quebec," " Montreal," or " Three Rivers," as the case may be, with the addition of " L. C." for Lower Canada, and the initial of the Christian name, and the surname at full length of the Inspector, with the quality thereof as hereinafter directed ; and on each barrel or half barrel of Pork, which may on inspection, be found to be soft or still fed, although it may be in all other respects fat, and of good quality, shall be branded by such Inspectors or Assistant Inspectors with the word " Soft," in letters as large as those upon the rest of the brand, in addition to the brand designating the quality, and in all cases where Beef and Pork shall be found to be of unsound and unmerchantable quality, arising from other causes, such Inspector or Assistant Inspector, shall brand, or cause the same to be branded with the word " Rejected," at full length, and in plain legible characters, and in all cases where Beef or Pork may appear inferior to the mark of the packer, or any former Inspector, it shall be the duty of the Inspector, or Assistant Inspector, and he is hereby authorised and required, to erase and correct the same ; and the Inspector, or Assistant Inspector, shall also brand on each barrel or half barrel of Pork or Beef so inspected by him, the month and year in which they were inspected, with the net weight and quality of the Beef and Pork so packed or examined ; and for such inspection and branding, the said Inspectors respectively, shall be entitled to receive of and from the person who may have applied to them, for each and every barrel and half barrel respectively of Beef or Pork so inspected, salted, packed, pickled and branded, the sum of one shilling currency, for each barrel, and seven pence half penny, currency, for each half barrel, exclusive of cooperage and repairs, the charge for which said cooperage and repairs shall not exceed six pence per barrel, and in consideration of which all barrels shall be

Bill of Inspection to be given without fee.

be declared in good shipping order ; and such fee shall be paid by the owner or consignee of such Beef or Pork, before it shall be removed ; and as soon as any Beef or Pork shall be inspected, a certificate or Bill of Inspection shall be furnished by the Inspector or Assistant Inspector without fee or reward, specifying neatly and legibly, the quantity of Beef or Pork so delivered to him, and the owner's mark or marks thereon, and the quantities and qualities ascertained by inspection, and the charges thereof ; and if any Inspector or Assistant Inspector, shall, knowingly and wilfully, give an untrue or incorrect certificate, of quantity or quality of any Beef or Pork, by him inspected, or shall give such certificate, without a personal examination and inspection of such Pork or Beef, he shall thereby incur a penalty of twenty pounds currency, for each offence, and be dismissed from his office, and declared incapable of ever after following the same : Provided always, that no Beef or Pork which shall have been so branded and inspected in one year, and re-inspected and re-packed in another, shall bear any other brand of the year and month than that originally affixed to it, and all the said brand marks shall be branded on one head of the barrel or half barrel, and in all cases the person applying to the Inspector shall be entitled to reimbursement of the price of inspection from the vendor, if such applicant be not himself or herself, the vendor.

Brands to be legible.

XII. And be it further Ordained and Enacted by the authority aforesaid, that all the said brand marks shall be large and legible, and it shall be the duty of each and every the said Inspectors of Beef and Pork to provide one uniform standard of quality of Beef and Pork for the Province ; and such Inspectors are hereby required to brand all marks required by Law, upon casks of Beef or Pork within a space of fourteen inches long, by eight inches broad, on each or the casks inspected by them, under a penalty of twenty pounds, current money of this Province, for each cask not branded, or branded otherwise than is required by this Ordinance.

Penalty.

Charge of storage.

XIII. And be it further Ordained and Enacted by the authority aforesaid, that no Inspector of Beef and Pork shall, when he shall inspect any Beef or Pork at the store hereinbefore required to be kept by him for the purpose, charge any storage thereon, unless the same shall have been left in his store more than three days after he shall have delivered to the proprietor or consignee thereof a notice of the same having been inspected, or have delivered an inspection bill thereof to such proprietor or consignee.

XIV. And be it further Ordained and Enacted by the authority aforesaid, that no Inspector of Beef and Pork shall suffer the same, if left in his charge after it shall have

Beef and pork
not to be left
exposed.

Store to be
provided.

Inspector may
furnish salt or
barrels.

No brand re-
quired on
rounds of beef,
pig-pork,
tongues, and
dried or smok-
ed meats.

Penalty.

Proceedings in
case of dispute
between In-
spector and
Owner.

have been inspected, to be exposed to the heat of the sun or inclemency of the weather, longer than six days, under the penalty of ten pounds, for each such offence ; and every Inspector who shall neglect to provide a suitable store in a convenient situation, shall upon complaint being made of the same, and after conviction, incur a penalty of twenty shillings per day, for every day he shall neglect to provide himself with such store, after his appointment as Inspector.

XV. And be it further Ordained and Enacted by the authority aforesaid, that nothing in this Ordinance shall be construed to extend to prevent any Inspector of Beef and Pork appointed under this Ordinance, from furnishing salt, saltpetre, or barrels, or half-barrels, if necessary ; but it shall be optional with the proprietor or consignee of such Beef or Pork to furnish such salt, saltpetre, barrels. or half barrels himself, should he see fit, whether the same be for new packing, or to replace unsound old packages, or bad salt, and whether the same be at the stores of the Inspector, or of such proprietor or consignee.

XVI. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that no brand shall be required on the following description of provisions, excepting the mark of the packer, with the net weight of the provisions contained in the tub, cask or barrel, and the date when packed, with the place where the same was put up, and the description of meat contained, namely, Rounds of Beef, Rounds and Briskets of Beef, the meat of young pigs, called Pig Pork, and marked as such, the Tongues of Neat Cattle, the Tongues of Pigs, Hams of Pigs, Shoulders of Pigs, and Pigs' Cheeks ; and no brand shall be required on Smoked or Dried Meat of any description ; and such mark so describing the packer, date, and quality, may be either a brand mark or legibly and permanently marked with ink or paint, on one of the heads of the package containing the kinds of provisions aforesaid ; and any person shipping, or causing to be shipped, any of the above kinds of provisions, (with the exception of dried meats then entered as such at the Custom House,) and not having the above marks legibly and permanently marked thereon, shall, for each offence, incur a penalty of twenty pounds, current money of this Province.

XVII. And be it further Ordained and Enacted by the authority aforesaid, that if any dispute shall arise between any Inspector, or Assistant Inspector to be appointed by virtue of this Ordinance, and the proprietor or possessor of any Pork or Beef, with regard to the quality and condition thereof, upon application to any one of Her Majesty's Justices of the Peace for the District, where such Inspector or Assistant Inspector shall reside, the said Justice of the Peace shall issue a summons to three persons of skill and integrity, one whereof to be named by the Inspector,
another

another by the proprietor or possessor of the Pork or Beef, and the third by the said Justice of the Peace, requiring the said persons immediately to examine the said Pork or Beef, and report their opinion of the quality and condition thereof, under oath, (which oath the said Justice of the Peace is hereby authorised and required to administer,) and their determination shall be final and conclusive, whether approving or disapproving the judgment of the Inspector, or Assistant Inspector, who shall immediately attend to, and conform himself thereto, and brand, or cause to be branded, each and every barrel and half barrel of the qualities or condition directed by the determination aforesaid; and if the opinion of the Inspector, or Assistant Inspector, be thereby confirmed, the reasonable costs and charges of re-examination, to be ascertained by the said Justice, shall be paid by the said proprietor or possessor, otherwise, by the Inspector.

Inspector may search vessels suspected of having on board beef or pork not inspected.

May sell, &c.

Penalty on ship-master receiving on board such beef or pork.

XVIII. And be it further Ordained and Enacted by the authority aforesaid, that it shall be lawful for any one of the said Inspectors or Assistant Inspectors respectively, having previously made oath before any of Her Majesty's Justices of the Peace for the District, that he has reason to believe that Pork or Beef is shipped or shipping on board any vessels for exportation, without having been inspected, and after receiving a warrant under the hand and seal of such Justices for the purpose, to enter in the day-time on board of any ship or vessel within the limits of the District for which he may have been appointed, if such vessel be not then cleared at the Custom House, and the same to search and examine; and if in searching, he shall find any Pork or Beef, (being part of the cargo of such ship or vessel,) that shall not have been inspected, as provided by this Ordinance, it shall be lawful for him to seize and detain the said Beef or Pork, and to sell, or cause the same to be sold at public auction, giving five days' notice of the time and place of sale, and after retaining for himself ten per cent. of the proceeds of the sale, he shall pay over the balance for the use of the prisoners detained in the Common Jail or House of Correction, as may be directed by any two of Her Majesty's Justices of the Peace for the District where such seizure may be made: and the master or commander of any ship or vessel, who shall knowingly and wilfully receive into such ship or vessel, any quantity of Pork or Beef for exportation, which shall not have been previously inspected as by this Ordinance is provided, or shall by himself, his servants or seamen, hinder or obstruct any Inspector or Assistant Inspector, in making such search as aforesaid, shall, for each barrel of Pork or Beef received on board, incur a penalty of twenty shillings, and shall for each such hindrance and obstruction, incur a penalty of fifty pounds, current money of this Province.

Penalty on Inspector neglecting or refusing to inspect pork or beef when required.

XIX. And be it further Ordained and Enacted by the authority aforesaid, that if any Inspector, or Assistant Inspector, so to be appointed, shall refuse, or neglect, on application to him made, personally or by writing, left at his dwelling house, store, office, or warehouse, on any lawful day, between sunrise and sunset, by any proprietor or possessor of Pork or Beef, (such Inspector or Assistant Inspector not being at the time of such application, employed in inspecting Beef or Pork elsewhere,) immediately or within two hours thereafter, to proceed to such inspection, he shall, for every such neglect or refusal, on conviction thereof before any one Justice of the Peace, on the oath of one credible witness, incur a penalty of five pounds, currency, to be paid to the person who shall have made such application, over and above the damages occasioned by such refusal or neglect to the party complaining.

Unmerchantable beef or pork.

XX. And be it further Ordained and Enacted by the authority aforesaid, that on any thin, rusty, measley, tainted, sour, or unmerchantable Pork, or unmerchantable, or spoiled Beef, branded, "Rejected," in consequence of its being so, the true character both as to quality and condition of such Pork or Beef, shall also be marked with ink or paint, on the head of such barrel or half barrel, and it shall be the duty of each Inspector, appointed under this Ordinance, to certify, whenever required, the quality of any Beef or Pork by him inspected, the state and condition thereof, and the packages containing the same, specifying the extent and damage appearing on inspection, and the apparent cause thereof, whether by exposure, injury in transportation, or from the original packing, or putting up of such Beef or Pork, and also specifying the brands, or other marks, upon the casks inspected, and the name of the consignee thereof.

Barrels to be of white oak.

Dimensions of barrels.

XXI. And be it further Ordained and Enacted by the authority aforesaid, that during the time this Ordinance shall be in force, each and every barrel and half barrel containing Beef and Pork inspected in this Province, shall be made of good seasoned white oak, or white oak staves, and the heads not less than three-quarters of an inch thick, and each stave on each edge at the bilge shall not be less than half an inch thick, when finished for barrels; and the wood of half barrels, shall be in the same proportion to their size, and shall, in both cases, be free from every defect; each barrel and half barrel shall be hooped and covered two-thirds of the length with good oak, ash, or hickory hoops, leaving one-third in the centre uncovered; and each barrel or half barrel shall be bored in the centre of the bilge, with a bit, of not less in diameter than one inch, for the reception of Pickle; each barrel shall not be less than twenty-seven inches, nor more than twenty-eight inches long, and the contents

Contents of
barrels and
half barrels of
beef and pork.

contents of each barrel in which Beef shall be packed or repacked, shall not be less than twenty-eight gallons, nor more than twenty-nine gallons, wine measure ; and the contents of each and every barrel in which Pork shall be packed or repacked, shall not be less than twenty-nine gallons, nor exceed thirty gallons, wine measure, and half barrels in which Beef or Pork shall be packed and repacked, shall respectively contain half the number of gallons above mentioned, and no more ; and it shall be the duty of the Inspector or Inspectors appointed under this Ordinance, to examine carefully, and ascertain the sufficiency of each barrel and half barrel before branding the same.

Proportions
and quality of
salt to be used.

XXII. And be it further Ordained and Enacted by the authority aforesaid, that the salt which shall be used in packing and repacking Beef and Pork, inspected and branded under the authority of this Ordinance, shall be clean St. Ubes, Isle of May, Lisbon, Turk's Island, or other coarse grain salt of equal quality, and each barrel of fresh Beef or Pork shall be well salted with seventy-five pounds of good salt as aforesaid, exclusive of a sufficient quantity of pickle as strong as salt will make it, and to each barrel of Beef or Pork shall be added four ounces of saltpetre ; and each half barrel of fresh Beef and fresh Pork shall be salted with half the quantity of salt above mentioned, and two ounces of saltpetre with a sufficiency of pickle, and in all cases of packing and repacking Beef and Pork, to be inspected and branded under the authority of this Ordinance, the Inspector is hereby authorised to use salt, saltpetre and pickle at his discretion.

Several quali-
ties of beef—
Weight of
pieces and
package.

XXIII. And be it further Ordained and Enacted by the authority aforesaid, that all Beef, which an Inspector shall find on examination to have been killed at a proper age, and to be fat and merchantable, shall be cut into pieces as nearly square as may be, not more than eight, nor less than four pounds weight, and shall be sorted and divided for packing and repacking in barrels and half barrels into four different sorts, to be denominated respectively, " Mess," " Prime Mess," " Prime," and " Cargo Beef." " Mess Beef" shall consist of the choicest pieces only, that is to say, briskets, thick of the flank, ribs, rumps, and surloins of oxen, cows or steers, well fattened ; and each barrel or half barrel containing Beef of this description, shall be branded on one of the heads with the words " Mess Beef." " Prime Mess Beef," shall consist of pieces of meat of the second class from good fat cattle, without shanks or necks ; and barrels and half barrels containing Beef of this description, shall be branded on one of the heads thereof with the words " Prime Mess Beef." " Prime Beef" shall consist of choice pieces of fat cattle, amongst which there shall not be more than the coarse pieces of one side of the carcass, the houghs and neck

being cut off above the first joint, and barrels and half barrels containing Beef of this description, shall be branded on one of the heads with the words, "Prime Beef." "Cargo Beef" shall consist of the meat of fat cattle of all descriptions, of three years old and upwards, with not more than half a neck and three shanks, (with the houghs cut off above the first joint,) and the meat otherwise merchantable; and barrels and half barrels containing such Beef, shall be branded on one of the heads, "Cargo Beef." And each barrel in which Beef of either the foregoing descriptions shall be packed or repacked, shall contain two hundred pounds of Beef, and each half barrel one hundred pounds.

Weight of
barrels and
half barrels.

Several quali-
ties of Pork—
Weight of
pieces.

XXIV. And be it further Ordained and Enacted by the authority aforesaid, that no Pork shall be branded for exportation, unless the same be of good fat hogs, cut in pieces as nearly square as may be, and not exceeding six nor less than four pounds weight; and all Pork which an Inspector shall find, on examination, to be fat and merchantable, shall be sorted and divided into four different sorts, to be denominated respectively, "Mess," "Prime Mess," "Prime," and "Cargo Pork." "Mess Pork" shall consist of the rib pieces, only of good fat hogs, not weighing less than two hundred pounds each, and barrels containing such Pork shall be branded on one of the heads "Mess Pork." "Prime Mess Pork" shall consist of the pieces of good fat hogs, not weighing less than one hundred and ninety pounds each, the barrel to contain the coarse pieces of one hog only, that is to say, two half heads, not exceeding together sixteen pounds in weight,) with two shoulders and two hams, and the remaining pieces of a hog; and barrels containing Pork of this description shall be branded on one of the heads "Prime Mess Pork." "Prime Pork" shall consist of the pieces of good fat hogs, of not weighing less than one hundred and fifty pounds each, the barrel to contain the coarse pieces of one hog and a half only, that is to say, three half heads (not exceeding together twenty-four pounds in weight, three hams and three shoulders, and the remaining pieces of a hog and a half hog; and each barrel containing Pork of this description, shall be branded on one of the heads "Prime Pork." "Cargo Pork" shall consist of the pieces of fat hogs, weighing not less than one hundred pounds each, the barrel to contain the coarse pieces of not more than two hogs, that is to say, four half heads (not exceeding together in weight thirty pounds,) four shoulders and four hams, and the remaining pieces of two hogs, and shall be otherwise merchantable Pork; and the barrels containing Pork of this description shall be branded on one of the heads, "Cargo Pork;" but in all cases the following parts shall be cut off, and not packed, namely, the ears, close to the head, and the snout above the tusks, the legs above the knee joint, the tail shall also be cut off, and the brain, tongue, and bloody-grizzle

Parts to be re-
jected.

Weight of
package.

taken out. And each barrel in which Pork of any of the foregoing descriptions may be packed or repacked, shall contain two hundred pounds, and each half barrel, one half that quantity, of the several kinds and qualities of Pork aforesaid, and be branded accordingly.

No In-
spector or
Assistant In-
spector per-
mitted to trade
in beef and
pork under
penalty of £50
and removal.

XXV. And be it further Ordained and Enacted by the authority aforesaid, that no Inspector, or Assistant Inspector of Beef and Pork, shall, directly or indirectly, trade or deal in Beef or Pork, or be concerned in such trade, whether by buying, bartering or exchanging any live or dead cattle, or hogs, with a view to pack the same, or to get them packed, or by buying, bartering, or exchanging Beef or Pork when packed, nor shall he purchase Beef or Pork of any description, otherwise than for the use and consumption of his family, under the penalty of fifty pounds, current money of this Province, for each and every offence, and on pain of being removed from office.

Penalty on
shipping beef
and pork not
branded.

XXVI. And be it further Ordained and Enacted by the authority aforesaid, that any person who shall ship or attempt to ship for exportation from this Province, any Pork or Beef, not inspected or branded according to the direction of this Ordinance, (with the exceptions already provided for,) shall forfeit the same, and any person who shall have exported from this Province, any such Beef or Pork after the passing of this Ordinance, shall incur a penalty of one pound, currency, for each and every cask, barrel, or half barrel, so exported.

Penalty on
fraudulently
obliterating
brand marks

XXVII. And be it further Ordained and Enacted by the authority aforesaid, that if any packer of Pork or Beef, or any other person or persons whomsoever, shall, with a fraudulent view or intention, efface or cause to be effaced or obliterated, from any cask or barrel, or half barrel of Beef or Pork having undergone inspection, all or any of the Inspector's brand marks, or shall counterfeit any such mark or marks, or impress or brand the same on any barrel or half barrel of Pork or Beef, or shall empty, or partially empty, any barrel or half barrel of Pork or Beef branded after inspection, in order to put into the same other Beef or Pork, or shall use for the purpose of packing any Beef or Pork, old casks, or barrels or half barrels, without destroying the old brand marks before offering the same for sale or exportation, or exporting the same, or (not being an Inspector or Assistant Inspector appointed under this Ordinance) shall brand any Pork or Beef with the Inspector's brand marks, such person so offending, shall, for each such offence, incur a penalty of fifty pounds currency, and any Inspector or Assistant Inspector, who shall inspect or brand any

— on per-
sons not being
Inspectors,
Inspectors
branding out
of their dis-
trict, or

Beef

hiring out
their brand.

Beef or Pork, out of the District for which he shall be appointed, or shall hire out his brand, to any person whomsoever, or shall connive at, or be privy to any fraudulent evasion of inspection of Beef or Pork, by others, shall for each such offence, incur a penalty of fifty pounds, currency.

All former
Commissions of
Inspectors re-
voked.

XXVIII. And be it further Ordained and Enacted by the authority aforesaid, that while this Ordinance shall be in force, all licences and commissions heretofore issued for the appointment of any Inspector or Inspectors of Pork and Beef, in this Province, shall be and the same are hereby rendered null and void.

All beef and
pork exported
to be inspect-
ed.

XXIX. And be it further Ordained and Enacted by the authority aforesaid, that no Beef or Pork (with the exceptions already provided for) whether the same shall have been brought into this Province from Upper Canada, or from the United States, or shall have been packed in this Province, shall be shipped for exportation, or exported from this Province, unless the same shall have been inspected, approved and branded according to the requirements of this Ordinance.

Rejected
beef and pork
if branded as
such, may be
exported.

XXX. Provided always, and be it further Ordained and Enacted by the authority aforesaid, that nothing in this Ordinance contained shall be construed to prevent the exportation of any rejected Beef or Pork from this Province, such rejected Beef or Pork being duly branded as hereby required, and entered as such at the Custom House, and in the manifest of the ship or vessel in which such rejected Beef or Pork shall be shipped for exportation, if the same shall be exported by sea.

Each Inspec-
tor to keep a
book, open to
the public.

XXXI. And be it further Ordained and Enacted by the authority aforesaid, that each Inspector of each City or Town shall keep a book in his office, which shall be open to the examination of the public, containing a statement of the quantities of Beef and Pork he shall have inspected, specifying the number of barrels and half barrels, and the qualities thereof, and such book shall be written up monthly, under a penalty of five pounds currency for each calendar month for which such book shall not be so written up within two days after the end of such month.

Penalties not
exceeding £10
sterling, how
recoverable.

XXXII. And be it further Ordained and Enacted by the authority aforesaid, that all fines, penalties and forfeitures imposed by this Ordinance, not exceeding ten pounds sterling, shall be recoverable by any Inspector or by any other person or persons suing for the same, in a summary way, before any two of Her Majesty's Justices

When the sum exceeds £10 sterling.

Monies levied to be accounted for.

Suits under this Ordinance to be commenced within six months.

Treble costs.

To remain in force to 1st Nov. 1842.

To go into effect as soon as assented to.

Justices of the Peace for the District, at their weekly sittings, and may, in default of payment, be levied by warrant of distress, to be issued by such Justices against the goods and chattels of the offender, and when the same shall exceed the sum of ten pounds sterling, shall be sued for and recovered by bill, plaint, information or civil action before the Judges of Her Majesty's Court of King's Bench, holding civil pleas for the District, and levied by execution as in cases of debt; and the moiety of all such fines, (except such as are hereby otherwise applied,) when recovered, shall immediately be paid into the hands of Her Majesty's Receiver General, for Her Majesty and for the public uses of this Province, and shall be accounted for to Her Majesty, through the Lords Commissioners of Her Majesty's Treasury for the time being, in such manner and form as Her Majesty, shall direct, and the other moiety shall belong to, and be paid to, the person who shall sue for the same.

XXXIII. And be it further Ordained and Enacted by the authority aforesaid, that if any action or suit be brought or commenced against any person or persons, for any thing done in pursuance of this Ordinance, or contrary to the directions thereof, such action or suit shall be commenced within six months next after the matter or thing done, or omitted to be done, and not afterwards, and the defendant or defendants in such action or suit, may plead the general issue, and give this Ordinance and the special matter in evidence at any trial to be had thereon; and if afterwards judgment shall be given for the defendant, or defendants, or the plaintiff or plaintiffs shall be nonsuited, or discontinue his, her or their action or suit, after the defendant or defendants shall have appeared, then such defendant or defendants shall have treble costs awarded against such plaintiff or plaintiffs, and have the like remedy for the same, as any defendant or defendants, hath or have in other cases to recover costs at law.

XXXIV. And be it further Ordained and Enacted by the authority aforesaid, that this Ordinance shall be in force, until the first day of November, one thousand eight hundred and forty two, and no longer.

XXXV. And be it further Ordained and Enacted by the authority aforesaid, that an Ordinance of this Province made and passed in the first year of the Reign of Her Majesty, intituled, "An Ordinance to declare and ascertain the period when the "Laws and Ordinances made and passed by the Governor or person authorised to "execute the Commission of Governor and Special Council of this Province, shall "take effect," be, and the same is hereby repealed as to this Ordinance only, and that

that this present Ordinance shall commence and have effect within the said Province, so soon as the Governor or person authorised to execute the Commission of Governor of the said Province shall have assented to and signed this present Ordinance.

J. COLBORNE.

Ordained and Enacted by the authority aforesaid, and duly passed in Special Council, at the Government House, in the City of Montreal, the Fourteenth day of March, in the Second year of the Reign of Our Sovereign Lady Victoria, by the Grace of God, of Great Britain and Ireland, Queen, Defender of the Faith, and so forth, and in the year of Our Lord, one thousand eight hundred and thirty-nine.

By His Excellency's Command,

W. B. LINDSAY,

Clerk Special Council.

C A P. XVI.

An Ordinance to amend a certain Act therein-mentioned, and for the more effectual Punishment of such persons as shall seduce Soldiers to Desert.

Preamble.

WHEREAS by an Act of the Parliament of Great Britain, made and passed in the first year of the Reign of His Majesty King George the First, intituled, "An Act for the more effectual and exemplary punishment of such persons as shall seduce Soldiers to Desert, or who being Papists, shall enlist themselves in His Majesty's services in Great Britain and Ireland, or in the Islands of Jersey or Gurnsey," which said Act is in force in this Province, it is, among other things Enacted in effect, that if any person or persons whatsoever, (other than such as are or shall be enlisted as Soldiers, against whom sufficient remedy is already provided by law,) shall by words or other means whatsoever, directly or indirectly, persuade
or