

The Provincial Statutes of Lower-Canada, Being the second session of the ninth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1818.

58 George III – Chapter 3

An Act to amend Act passed in the forty sixth year of His Majesty's Reign, intituled, "An Act to repeal an Ordinance made and passed in the twenty fifth year of His Majesty's Reign, intituled, 'An Ordinance to prevent the exportation of unmerchable Flour, and the faltering of Bread and Flour casks, to regulate the packing and inspection of Flour and Indian Meal, and to provide for ascertaining the quantity of Biscuit in future.'" (1st April, 1818.)

Whereas it is expedient to amend an Act passed in the forty-sixth year of His Majesty's Reign, intituled, "An Act to repeal, an Ordinance made and passed in the twenty-fifth year of His Majesty's Reign, intituled, 'An Ordinance to prevent the exportation of unmerchable Flour, and the false taring of bread and Flour casks, to regulate the packing and inspection of Flour and Indian meal, and to provide for ascertaining the quality of Biscuit in future,'" and to make further provision for the purposes of the said Act; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under, the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the government of the Province of Quebec in North America,' and to make further provision for the government of the said Province;" and it is hereby enacted by the authority of the same, that from and after the passing of this Act, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province for the time being, from time to time, By an instrument under his hand and seal at Arms, to nominate and appoint one or more Inspectors of Flour and Meal in each of the Cities of Quebec and Montreal, and for the town of Three-Rivers [Trois-Rivières] respectively, and an Inspector of Flour and Meal for the Borough of William Henry [Sorel-Tracy]; which Inspectors of Flour and Meal shall not have power or authority, to appoint or substitute any deputy or deputies in their or any of their places or steads, for any of the purposes of this Act, nor for any of the purposes of the Act herein-first above mentioned, it being hereby enacted and required, that the said Inspectors shall execute the duties of their offices in person, and not otherwise.

II. And be it further enacted by the authority aforesaid, that no person or persons shall at any time after the passing of this Act, be appointed as such Inspector or Inspectors as aforesaid, until such person or persons shall have previously undergone an examination as to his or their knowledge and capacity to act as such Inspector and Inspectors as aforesaid, before a Board of competent persons as examiners, which Board the Governor, Lieutenant-Governor, or person administering the government of this Province for the time being, is hereby authorized and empowered to nominate and appoint for that purpose, by Commission under his hand and seal.

III. And be it further enacted by the authority aforesaid, that from and after the first day of May, one thousand eight hundred and nineteen, all casks containing Flour or Meal, brought to the Cities of

Quebec and Montreal, to the town of Three-Rivers [Trois-Rivières], and to the borough of William Henry, for sale or exportation, shall be of the following dimensions; that is to say; the staves of all barrels to be of the length of twenty-seven inches, and the diameter at the head to be seventeen inches; the staves of all half barrels to be twenty-two inches in length, and the diameter at the head to be thirteen inches.

IV. And be it further enacted by the authority aforesaid that when and as often as any of the said Inspectors shall have inspected any Flour or Meal, it shall be the duty of such Inspector or Inspectors to grant to the person or persons at whose instance the same may have been inspected; a bill or bills or Inspection of the same, stating the quantity and quality of Flour or Meal, and the day, month, and year when the same may have been by him or them inspected; for which bill or bills of inspection the said Inspector or Inspectors shall not be entitled to have, demand of receive any recompense or reward whatever.

V. And be it further enacted by the authority aforesaid, that in addition to the brands or marks by the said first-mentioned Act required to be branded and marked upon each and every barrel of Flour or Meal, the month and year up which the same may have been inspected shall be marked in large and legible characters on a brand of at least six inches in diameter. And it shall be the duty of each and every of the said Inspectors of Flour or Meal, to provide uniform brands, in each of the said Districts, and the said Inspectors are hereby required to brand the whole of the brands or marks, by Law provided to be branded or marked as aforesaid, upon casks of Flour or Meal, within a circumference of six inches, on each and every of the casks, which shall be by them, as aforesaid inspected.

VI. And be it further enacted by the authority aforesaid, that every cask of Flour or Meal, which shall be by such Inspectors examined and inspected, shall be searched and tried, by boring the head or side of the cask or barrel, and piercing it through with an instrument, not exceeding five-eighths of an inch in diameter, within the gauge or bore of inch such instruments; and for every barrel found to contain Flour or Meal of two different kinds of grain, the person owning the same, shall, for every such barrel of Flour or Meal, incur forfeiture and penalty of ten shillings, current money of this Province; and it shall be lawful for the Inspector who shall have inspected such Flour or Meal, to detain each and every barrel thereof, until the whole amount of such penalty and forfeiture be paid.

VII. And be it further enacted by the authority aforesaid, that no inspector or Inspectors of Flour or Meal, to be appointed in pursuance of this Act, shall directly or indirectly trade or deal in Flour or Meal, or be concerned in any such trade, nor purchase any Flour or Meal of any description, otherwise than for the use and consumption of his or their family or families, under the penalty of fifty pounds, current money of this Province.

VIII. And be it further enacted by the authority aforesaid, that all and every person or persons, selling, or offering for sale, Flour or meals in barrels or casks short of the weights established by the fourth section of the first above-mentioned Act, shall for every such barrel or cask of Flour or Meal, incur and forfeit a penalty of five shillings, current money of this Province, in addition to the penalty in and by the said section of the aforesaid Act mentioned and provided.

IX. And be it further enacted by the authority aforesaid, that whenever any Inspector or Inspectors of Flour or Meal, who shall be appointed in virtue of this Act, shall have reason to suspect that any cask of casks, containing Flour or Meal, and offered for inspection, do not contain the proper weight, as by the said first-mentioned Act it is provided, it shall be lawful for the Inspector or Inspectors aforesaid, to cause the Flour therein to be started, and to be weighed.

X. Provided always, and be it further enacted by the authority aforesaid, that nothing in this Act contained, shall be construed to prevent the exportation of any rejected Flour or Meal, from this Province, such rejected Flour being duly stamped or branded as by Law required, and as such entered at the Custom house, and fit the Manifest of the ship or vessel in and upon which such rejected Flour or Meal may have been shipped for exportation.

XI. And be it further enacted by the authority aforesaid, that the fines and penalties, and forfeitures incurred under and in virtue of this Act, which are not otherwise herein disposed of, shall be paid into the hands of the Receiver-General of the Province, for the use of His Majesty, towards the support of the Government of this Province, and shall be, accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors shall direct.