

C H A P. V.

An Act to amend and extend the provisions of an Act passed in the forty-first year of His Majesty's Reign, entitled, "An Act to authorise the Governor, Lieutenant Governor, or Person administering the Government, to appoint INSPECTORS of FLOUR, POT and PEARL ASHES within this Province."

[Passed 7th March, 1820.]

WHEREAS, it is expedient to amend and extend the provisions of an Act passed in the forty-first year of His Majesty's Reign, entitled "An Act to authorise the Governor, Lieutenant Governor, or Person administering the Government of this Province, to appoint Inspectors of Flour, Pot and Pearl Ashes, within this Province" Be it 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 Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, '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 by the authority of the same, That from and after the first day of September next, every Miller or Manufacturer of Flour for sale within this Province, shall provide brands or marking irons for the purpose of branding and marking Flour packed in barrels, on which brands or marking irons shall be expressed the name of the Mills the Flour was packed in, with the words "Upper Canada," the nett weight and tare in figures, and also the words Superfine, Fine, or Fine Middlings, as the case may be.

Preamble.

Flour packed in barrels, to be branded.

II. *And be it further enacted by the authority aforesaid,* That all Wheat Flour manufactured and packed in Casks and branded as aforesaid, at any Mill in this Province, by the owner of such Flour, shall be by such Miller or Manufacturer made Merchantable and of due fineness and shall be honestly and well packed in good and sufficient casks made of staves well seasoned and bound with ten hoops and the tare marked on the said cask together with the nett of Flour contained in such cask, each cask to contain one hundred and ninety six pounds.

Flour to be merchantable, and well packed.

Each Cask to contain 196 lbs.

III. *And be it further enacted by the authority aforesaid,* That on any Miller or Manufacturer being required to make Flour intended to be of the first quality, on each cask shall be branded Superfine, and on each cask of Flour intended to be of the second quality shall be branded the word Fine, and on each cask of Flour intended to be of the third quality shall be branded the words Fine Middlings, under the penalty of ten shillings for each cask. *Provided always,* That nothing herein contained shall extend or be construed to extend to compel any Miller or Manufacturer of Flour to brand any casks of Flour, unless he shall be satisfied that the

Flour to be marked according to its quality, under a penalty.

Flour is of the quality that it is required to be branded or marked as aforesaid.

To be liable to inspection.

IV. *And be it further enacted by the authority aforesaid,* That all Flour packed in casks and branded as aforesaid, and exposed for sale in any of the County Towns or Villages in this Province, shall be liable to Inspection at the election of any purchaser, and the expence of such Inspection shall be paid equally by the purchaser and seller, each one half.

Expence of inspection.

Punishment for putting a false tare on any Flour-cask.

V. *And be it further enacted by the authority aforesaid,* That if any person or persons shall put a false or wrong tare on any cask of Flour, to defraud any purchaser, the persons so offending shall forfeit for every such cask so falsely tared as aforesaid the sum of ten shillings.

Penalty for counterfeiting brands, or putting other Flour into Casks, properly branded.

VI. *And be it further enacted by the authority aforesaid,* That any person or persons who shall counterfeit any of the aforesaid brand marks or brand the same on any cask of Flour, or shall empty any cask of Flour branded as aforesaid in order to put therein other Flour for sale, without first cutting out the said brand marks, the person or persons so offending shall for every such offence forfeit and pay the sum of twenty shillings.

Inspectors to weigh Casks of Flour, &c.

VII. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the Inspectors from time to time to weigh such casks of Flour as he or they shall suspect to be light, and if found not to contain the just and true weight, to mark or brand the same on the head with the word "Light," and for every cask of Flour so marked "Light," the Manufacturer thereof shall forfeit and pay the sum of ten shillings.

Penalty if found light

Inspector to mark Flour inspected by him

VIII. *And be it further enacted by the authority aforesaid,* That on all casks of Flour inspected by any of the Inspectors aforesaid, the Inspector shall brand the initial letters of his Christian name, and his Surname at full length, together with the name of the District or place where the same is inspected.

and to alter the mark denoting its quality, if incorrect.

IX. *And be it further enacted by the authority aforesaid,* That in all cases where the brands describing the quality of Flour, shall not in the judgment of the said Inspector be branded according to its respective kinds and qualities, he shall alter the same so as to describe the real quality according to the true intent and meaning of this Act.

Inspectors of Flour not to deal in Flour.

X. *And be it further enacted by the authority aforesaid,* That no persons appointed or hereafter to be appointed Inspector of Flour, shall deal in, buy, barter or exchange, any Flour by him inspected, under pain of the Commission under which he acts, being null and void, except such Flour as may be necessary for the consumption of his own family.

How fines &c. should be recovered.

XI. *And be it further enacted by the authority aforesaid,* That all fines, forfeitures, and penalties, by this Act imposed, shall be recoverable with costs, in a summary way, to be proceeded upon and be examined, heard, and

and determined by any one or more of His Majesty's Justices of the Peace, acting in the District where the offence shall have been committed, and in order thereto, it shall and may be lawful to and for any one of His Majesty's Justices of the Peace within the District where the offence has been committed, to summon any person or persons to appear before such Justices, as aforesaid, and they are fully authorised and required upon the appearance or default of such person or persons so to be summoned, to examine into the cause of such complaint, and thereupon to proceed to give judgment; the one moiety of all fines and forfeitures when recovered, shall be paid into the hands of the Receiver General, for the use of His Majesty, His Heirs and Successors, towards the support of the Government of this Province, and shall be accounted for to His Majesty through the Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty shall direct, and the other moiety to the person who shall sue for the same.

and accounted for.

C H A P. VI.

An Act to provide for the Remuneration of JOHN BEIKIE, Esquire, for Services rendered to this Province.

[*Passed 7th March, 1820.*]

MOST GRACIOUS SOVEREIGN,

WHEREAS it is expedient to remunerate John Beikie, Esquire, for long and faithful services rendered to this Province, as Clerk to the Commissioners appointed under and by virtue of an Act passed in the forty-fifth year of His Majesty's Reign, entitled "An Act to afford relief to those persons who may be entitled to claim Lands in this Province as Heirs or Devisees of the Nominees of the Crown in cases where no Patent hath issued for such Lands," We, Your Majesty's dutiful and loyal Subjects the Commons of Upper Canada, in Provincial Parliament assembled, beseech Your Majesty that it may be enacted, and be it 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 Upper-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 by the authority of the same, That from and out of the rates and duties, raised, levied and collected, or hereafter to be raised, levied and collected, to and for the public uses of this Province, and remaining in the hands of the Receiver General, and unappropriated, there be granted to His Majesty, His Heirs and Successors the sum.

Preamble.