

of Woolwich, in the County of Lincoln," passed the first day of March, in the Year of our Lord one thousand seven hundred and ninety nine, be, and the same is hereby repealed.
Approved March 1, 1800.

1799. — Chapter 69.

[January Session, ch. 36.]

AN ACT TO REGULATE THE INSPECTION OF BEEF INTENDED TO BE EXPORTED FROM THIS COMMONWEALTH.

SEC. 1ST. *Be it enacted by the Senate and House of Representatives, in General Court assembled and by the authority of the same,* That from and after the first day of September next, no person or persons whatsoever, shall ship or export from this Commonwealth any salted Beef, except in Barrels, or half Barrels, of the quality and dimensions hereinafter provided, and the contents thereof are inspected and packed, and unless the casks containing the same are branded agreeably to the directions in this act.

No beef to be exported, except as herein directed

SEC. 2D. *Be it further enacted,* That there shall be an Inspector General of Beef for this Commonwealth, who shall be well skilled in the knowledge of the same, to be appointed by the Governor with the advice and consent of the Council, and to be by them removeable at pleasure, who, before he shall enter on the duties of his office, shall give Bonds, with sufficient sureties, to the Treasurer of this Commonwealth, in the penal sum of Four thousand Dollars, for the faithful discharge of his duty, and shall also be sworn faithfully to perform the same; and such Inspector shall have power, when so qualified, to appoint, and shall appoint Deputy Inspectors, who shall be removeable by him at pleasure, in every Seaport town in this Commonwealth, where Beef is exported, and at such other places as he shall judge necessary, for whom, he shall be answerable, and shall take Bonds from them, to himself and successor in office, with sufficient sureties, in a penal sum not exceeding three hundred dollars, and the said deputy inspectors shall also be sworn for the faithful discharge of their duty.

Inspector General to be appointed.

May appoint deputies.

SEC. 3D. *And be it further enacted,* That it shall be the duty of every Deputy, so appointed, to make a return to the Inspector General, once in every Six months, of the number of barrels, & half barrels of Beef inspected by them agreeably to the directions of this Act; and it

Return to be made of beef inspected.

shall be the duty of the Inspector General, in the month of June annually, to make a return to the Governor & Council, of the whole number of barrels & half barrels of beef, inspected according to the directions of this act, by him or his Deputies, the year preceeding, designating in the return, the different sorts of beef, and the places at which it was inspected.

Kind of beef,
and size of
pieces.

SECT. 4. *Be it further enacted*, That no beef, which shall be killed after the first day of September next, shall be packed or repacked in barrels or half barrels, for exportation, unless it be of fat cattle, not under three years old; that all such beef shall be cut into peices, as nearly square as may be, and which in size shall not exceed eight pounds weight, nor be less than four pounds weight.

To be branded.

That all Beef, which the Inspector or Deputy Inspector shall find on examination, to have been killed at a proper age, to be fat, & otherwise good & merchantable, shall be sorted & divided by him, into four different sorts, for packing or repacking, into barrels or half barrels, to be denominated *Mess*, *Cargo N. 1*, *Cargo N. 2*, and *Refuse*.

Mess beef.

Mess beef shall consist of the choice peices of Oxen or Steers well fatted and weighing Six hundred pounds and upwards; the shin, shoulder, clod, & neck shall be taken from the fore quarters, and the Legs & leg-rand from the hind quarters; and each Barrel & half Barrel, containing beef of this description, shall be branded on one of the

Cargo No. 1.

heads with the words *Mess Beef*. Cargo N. 1 shall consist of choice peices of oxen, Steers, Cows & Heifers, not under four hundred pounds weight, & to average Five hundred & twenty pounds weight, without any necks or shanks. On one head of each barrel or half barrel, containing beef of this description, shall be branded *Cargo*

Cargo No. 2.

N. 1. Cargo N. 2 shall consist of fat cattle of all descriptions not before mentioned, of three years old & upwards (Bulls excepted) with not more than half a neck, & three Shanks, and without any hocks; each barrel & half barrel

Refuse.

of which shall be branded *Cargo No. 2*. All other parts of cattle, that are not above described, which shall be packed or repacked for exportation, (including Bulls)

Salting.

shall be branded on one head *Refuse*. And every barrel of beef shall be well Salted with Seventy five Pounds of clean Saint Ubes, Isle of May, Lisbon, or Turks Island Salt, or eighty pounds of coarse Liverpool Salt, or other Salt of equal quality, exclusive of a pickle made of fresh

water as strong as Salt will make it ; & to each barrel of beef of the three first sorts shall be added four ounces of Salt petre ; and each half barrel of beef shall be salted with one half the quantity of Salt abovementioned & two ounces of Salt petre.

SECT. 5. *Be it further enacted*, That from and after the first day of September next every barrel & half barrel, in which beef shall be packed or repacked for exportation, shall be made of good seasoned white oak or white ash staves & heading, free from any defect, each barrel shall contain two hundred pounds weight of Beef, & each half barrel one hundred pounds weight of beef ; the barrels to measure sixteen Inches and a half between the chimes, & to be twenty eight inches long, to be covered three fourths of the length with good oak, ash or walnut hoops, leaving one fourth in the centre, the heads made of a proper thickness, the hoops to be well sett & drove together ; the half barrels to contain not less than Fifteen Gallons, to be hooped in the same manner, as the whole barrels.

Description of barrels.

SECT. 6. *Be it further enacted*, That every barrel & half barrel, in which beef is packed or repacked for exportation, shall be branded, with the first letter of the Christian name & the surname at length of the Inspector who has inspected the same, with the name of the town where it was inspected, in legible letters, with the addition of MASS. (for Massachusetts). And every barrel & half barrel of Beef, of the three first sorts, shall also be branded with the name of the person for whom the beef is packed.

Inspector's name, &c. to be branded.

SECT. 7TH. *Be it further enacted*, That no deputy, appointed by virtue of this Act, shall inspect or brand any cask of Beef, out of the town or County for which he shall be appointed, under the penalty of fifty dollars ; and if any person, other than the said Inspector or his Deputy, shall presume to stamp or brand any cask of beef, in the manner directed by this Act, every person so offending, shall forfeit the sum of Twenty dollars, for each & every cask so unlawfully branded.

Inspectors to brand in their own town or county only.

SECT. 8. *Be it further enacted*, That the Inspector General or his deputy, appointed by Virtue of this Act, shall be paid for every barrel of beef he may inspect and brand, the sum of ten cents ; & for every half barrel of beef so inspected, the sum of five cents, exclusive of coop-

Fees for inspecting.

erage, the charge of inspection to be paid by the shipper ; and the Inspector General shall be entitled to receive from any deputy he may appoint, two cents and no more, for each barrel of beef, & one cent for each half barrel, said deputy may inspect & brand, according to the directions of this Act.

Penalty for fraudulent inspection.

SECT. 9. *Be it further enacted*, That if any Inspector or Deputy Inspector, appointed by virtue of this act, shall be guilty of any neglect or fraud, in inspecting any beef contrary to the true intent & meaning of this act, or shall mark with their respective brands, any cask containing beef which has not been actually inspected, he or they shall forfeit & pay ten dollars for each and every cask so falsely marked.

Penalty for shifting beef.

SECT. 10. *Be it further enacted*, That if any person shall intermix, take out or shift any beef, out of any cask inspected or branded, as by this Act is required, or put in any other beef for Sale or Exportation, contrary to the intention of this Act, the person or persons so offending, shall, for each and every offence, forfeit & pay the sum of Twenty Dollars.

No beef to be exported unless a certificate of inspection is produced.

SECT. 11. *Be it further enacted*, That no salted beef shall be exported out of this Commonwealth, unless the master or owner of the Vessell produces to the Collector, or any other Officer authorised by the Laws of the United States to clear Vessells out, a certificate from the Inspector General or his Deputy, that the same has been inspected & branded, according to the directions in this Act, and each certificate shall express the number of barrels & half barrels of beef, of each sort. And the Master or owner of every Vessell, in which beef is so exported, on producing said certificate shall take & subscribe the following Oath before the Officer authorised as aforesaid.

I, A — B — of the do swear, that according to the best of my knowledge & belief, the certificate hereunto annexed, contains the whole quantity of Salted beef on board the Master, & that no salted beef is shipped on board said Vessell for the ships company, on freight, or on cargo, but what is inspected & branded according to the Law of this Commonwealth. So help me God.

Fee for certificate.

SECT. 12TH. *Be it further enacted*, That for each & every certificate given by the Inspector or Deputy Inspector for beef exported, he shall receive ten cents, to be

paid by the shipper, and they are hereby, severally directed to give such certificate whenever requested.

SECT. 13TH. *Be it further enacted*, That all penalties & forfeitures, arising by force & virtue of this Act, shall be recovered by action of debt or information, in any Court proper to try the same, one moiety thereof to the use of the town wherein the offence shall be committed, & the other moiety to him or them who shall inform, or sue for the same.

Recovery of forfeitures.

SECT. 14. *Be it further enacted*, That nothing in this Act shall prevent the exportation of rounds of Beef, in kegs or tubs as is now practiced: *provided however*, That the name of the owner, & the town where he resides, shall be branded on one head of each keg or tub, under the penalty of One dollar for each keg or tub not branded.

Rounds of beef may be exported as usual

SECT. 15. *Be it further enacted*, That all former laws, so far as they respect the inspection of beef, be, & hereby are repealed. *Provided nevertheless*, That they shall be considered as in full force, with regard to all actions & prosecutions which may be depending, for any penalty or forfeiture incurred for the breach of the same.

Former laws repealed.

SECT. 16. *And be it further enacted*, That if any person or persons shall export or ship for exportation out of this Commonwealth, any Salted beef not inspected and branded as by this Act is directed, every such exporter or Shipper, & the Master of every Vessell having on board such uninspected Beef, shall, on conviction, respectively forfeit & pay the sums following, The Owner or Exporter shall forfeit & pay the Sum of Six dollars, and the Master of every Vessell having the same on board, the sum of two dollars, for every Cask exported or shipped for exportation. And it shall be lawfull for any Justice of the Peace, upon any information given of any Beef being put on board any Vessell as aforesaid, not inspected & branded as required by this Act, to issue his warrant, directed to the Sheriff or his deputy or to a Constable, requiring them respectively to make seizure of any such Salted Beef, not marked & branded as aforesaid, and to secure the same in Order for trial, & said Officers are hereby respectively required & empowered to execute the same. And it shall be the duty of every person, when required to give the necessary aid for that purpose, on pain of forfeiting Five dollars for his refusal. *Provided*

Penalty for exporting beef contrary to this Act.

Justices of the Peace may order seizures.

always, That nothing in this Act contained shall be con-

Provido.

strued to effect the exportation of any Beef that shall be duly inspected before the said first day of September, agreeable to the laws now in force.

Approved March 4, 1800.

1799. — Chapter 70.

[January Session, ch. 37.]

AN ACT TO RENDER VALID THE DOINGS OF THE DEPUTY SHERIFFS WITHIN AND FOR THE COUNTY OF HANCOCK.

Preamble.

Whereas divers Writs and Precepts have been served and executed, by some of the Deputy Sheriffs within and for the said County of Hancock, since the resignation of Richard Hunnewell, Esqr. late Sheriff of said County, and before the appointment of his Successor in Office;

The doings of Deputy Sheriffs rendered valid.

Be it therefore Enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That all writs and precepts, served and executed by any Deputy Sheriff under the said Hunnewell, within and for said County, from and after the resignation of the said Hunnewell, and before the first day of January, A D. one thousand and eight hundred, shall be considered as duly and legally served & executed, and the same are hereby rendered legal and valid in every respect, so far as relates to the service or execution of said Writs or Precepts. Provided the same have been legally and duly executed in every other respect but what relates to the resignation of the said Hunnewell.

Approved March 4, 1800.

1799. — Chapter 71.

[January Session, ch. 38.]

AN ACT IN ADDITION TO, AND FOR ALTERING AN ACT, ENTITLED, "AN ACT FOR ESTABLISHING A CORPORATION BY THE NAME OF THE SIXTH MASSACHUSETTS TURNPIKE CORPORATION."

Restriction respecting width of road removed.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the Authority of the same, That the Committee, who shall be appointed to approve of the Sixth Massachusetts Turnpike Road, in pursuance of the act, to which this is in addition, shall be, and are hereby impowered and authorized to approve of said road, as sufficiently made, although the same may in some places be less than four rods wide; provided, That,