ANNO TRICESIMO OCTAVO

GEORGII III. REGIS.

****

C A P. LXXIII.

An Act for amending and rendering more effectual an Act, made in the Thirty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act to prevent Abuſes and Frauds in the Packing, Weight, and Sale of Butter; and to repeal certain Acts relating thereto.* [21ſt *June* 1798.]

Preamble.

WHEREAS, to prevent Abuſes and Frauds in the Packing, Weight, and Sale of Butter, various Proviſions were made by a Statute paſſed in the Thirty-ſixth Year of the Reign of His preſent Majeſty, and intituled, *An Act to prevent Abuſes and Frauds in the Packing, Weight, and Sale of Butter; and to repeal certain Acts relating thereto:* And whereas the ſaid Act is very much avoided by concealing the Places of Abode of the Coopers making Veſſels for Butter, and of the Dairymen or other Packers of Butter for Sale, and by the Want of ſome Proviſion to make the Factors or Agents for buying and ſelling Butter, and alſo the Cheeſemongers and other Perſons ſelling Butter on their own Account, reſponſible for tranſacting the Sale of Butter in Veſſels not made as the ſaid Act requires; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every Cooper or other Perſon making a Veſſel for the Packing of Butter, being a Veſſel within the Regulations of the Act herein-before recited, before his or her ſuffering any ſuch Veſſel to go out of his or her Poſſeſſion, ſhall, on the Bottom of ſuch Veſſel, on the Outſide, with an Iron, in Addition to his or her Chriſtian Name and Sirname as the ſaid Act requires, brand the Name of his or her Place of Abode or Dwelling, in permanent and legible Letters, in Manner following; (*videlicet*), If he or ſhe ſhall dwell in a City or Market

36 Geo. III, Cap. 86.

Perſons making Veſſels for packing Butter, ſhall brand them in the Manner herein ſpecified.

Market Town, or within the County of ſuch City or the Pariſh of ſuch Market Town, then the Name of ſuch City or Market Town; and if he or ſhe ſhall dwell in a Village, Townſhip, Liberty, Hamlet, or other Subdiviſion of any Pariſh, then the Name of the Pariſh wherein ſuch Village, Townſhip, Liberty, Hamlet, or other Subdiviſion ſhall be ſo ſituate; and if he or ſhe ſhall dwell in an extra-parochial Place, then the Name of the next adjoining Pariſh to which ſuch extra-parochial Place ſhall be ſituate; or in Default of branding ſuch his or her Place of Abode in Manner before directed, he or ſhe, for every ſuch Offence, ſhall forfeit and pay the Sum of Ten Shillings.

Penalty for Default.

Penalty on Factors for buying or ſelling, &c. Butter in Veſſels, not legally marked.

II. And be it further enacted, That every ſuch Factor or Agent for buying or ſelling Butter for others, who ſhall buy or ſell, or offer for Sale, or ſhall, for the Purpoſe of Sale, have in his or her Cuſtody, Power, or Poſſeſſion, any Veſſel containing Butter, or ſhall order, conſign, forward, or ſend, or ſhall cauſe to be ordered, conſigned, forwarded, or ſent, any Veſſel containing Butter for Sale, to any Perſon or Perſons whomſoever; which Veſſel containing ſuch Butter ſhall not be made and externally marked, and have the Butter therein imprinted according to the Directions of this Act, and of the Act herein-before recited, ſhall, for each and every ſuch Offence, forfeit and pay the Sum of Twenty Shillings.

Penalty on Dealers having in their Poſſeſſion, Butter in Veſſels not legally marked.

III. And be it further enacted, That every Perſon being a Cheeſemonger, or otherwiſe a Seller or Dealer in Butter on his or her own Account, who ſhall offer for Sale, or ſhall, for the Purpoſe of Sale, have in his or her Cuſtody, Power, or Poſſeſſion, any Veſſel containing ſuch Butter, which Veſſel containing ſuch Butter ſhall not be externally marked according to the Directions of this Act, and of the Act herein-before recited, ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Shillings.

Penalties to be recovered and applied as they may be under recited Act, &c.

IV. And be it further enacted, That all Forfeitures and Penalties impoſed by this Act, ſhall be reſpectively ſued for, levied, raiſed, and applied, in ſuch Manner and Form, and with, by, under, and ſubject to the ſame Methods, Limitations, and Proviſions, as are preſcribed in the Act herein-before recited concerning the reſpective Penalties and Forfeitures thereby impoſed; and all Perſons who ſhall be ſued or proceeded againſt for any Thing done in purſuance or under Colour of this Act, ſhall be within Benefit of the ſame Proviſion as is contained in the Act herein-before recited in reſpect to Perſons acting under the ſame.

Commencement of Act.

V. And be it further enacted, That this Act ſhall commence and begin to be in Force on the Firſt Day of *September* in the Year One thouſand ſeven hundred and ninety-eight.

Act not to extend to *Scotland*.

VI. Provided always, and be it further enacted, That nothing contained in this Act ſhall extend to that Part of *Great Britain* called *Scotland*.

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