under the authority of the Passengers Act, 1855, shall be paid to the superintendent of a mercantile marine office at such times and in such manner as the Board of Trade may from time to time direct, and shall be carried to the mercantile marine fund; and the salaries of surveyors, and other expenses connected with the survey and measurement of ships under this Act or the Acts amended hereby, and also so much of the salaries and expenses of persons employed under the authority of the Passengers Act, 1855, as has heretofore been paid by fees, shall be paid out of the mercantile marine fund. emigration officers.

15. If any surveyor, or any person employed under the authority of the Passengers Act, 1855, demands or receives directly or indirectly, otherwise than by the direction of the Board of Trade, any fee, remuneration, or gratuity whatever in respect of any of the duties performed by him under this Act or the Acts amended hereby, he shall for every such offence incur a penalty not exceeding fifty pounds. Penalty on surveyor, &c. receiving gratuity, &c. for duties performed under this Act.

16. The owner of home trade ships or his agent may enter into time agreements, in forms to be sanctioned by the Board of Trade, with individual seamen to serve in any one or more ships belonging to him, which agreements need not expire on either the thirtieth day of June or the thirty-first day of December, anything in the Merchant Shipping Act to the contrary notwithstanding: Provided always, that a duplicate of each agreement entered into under the provisions of the section be forwarded to the Registrar General of Shipping within forty-eight hours after it has been entered into. Owner or agent of home trade ships may enter into time agreements which need not expire half-yearly.

17. It shall be lawful for Her Majesty to accept from time to time the offers of any person whom the Lord High Admiral or the Commissioners for executing his office may recommend, to serve as officers of reserve in the Royal Navy, upon such terms and conditions as to Her Majesty may from time to time seem fit, and the "Officers of the Royal Naval Reserve Act, 1863," shall be read and construed as if this clause formed part of the said Act. Her Majesty may accept offers of persons recommended by the Admiralty to serve as officers of the Royal Naval Reserve.

CHAPTER 74.

An Act to amend the Law for the prevention of Adulteration of Food and Drink and of Drugs. [10th August 1872.]

WHEREAS the practice of adulterating articles of food and drink and drugs for sale, in fraud of Her Majesty's subjects, and to the great hurt of their health and danger to their lives, requires to be repressed by more effectual laws than those which are now in force for that purpose:

Be it therefore enacted by the Queen'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, as follows:

1. Every person who shall wilfully admix, and every person who shall order any other person or persons to admix with any article of food or drink any injurious or poisonous ingredient or material to adulterate the same for sale, and every person who shall wilfully admix, and every person who shall order any other person or persons to admix any ingredient or material with any drug to adulterate the same for sale, shall for the first offence forfeit and pay a penalty not exceeding fifty pounds, together with the costs attending such conviction, and for the second offence shall be guilty of a misdemeanor, and be imprisoned for a period not exceeding six calendar months, with hard labour. Penalty on persons adulterating articles of food or drink or drugs.

2. Every person who shall sell any article of food or drink with which to the knowledge of such person any ingredient or material injurious to the health of persons eating or drinking such article has been mixed, and every person who shall sell as unadulterated Penalty on persons selling articles of food or drink or

drugs which they know to have been adulterated.

any article of food or drink, or any drug which is adulterated, shall for every such offence on a summary conviction of the same before two justices of the peace at petty sessions in England, or before two justices of the peace in the justices of the peace court, or before the sheriff substitute of the county, or before any magistrate acting under any general or local Police Act in Scotland, or before justices at petty sessions or a divisional justice in Ireland, forfeit and pay a penalty not exceeding twenty pounds together with such costs attending such conviction as to the said justices, sheriff substitute, magistrate, or divisional justice shall seem reasonable; and if any person so convicted shall afterwards commit the like offence, such justices, sheriff substitute, magistrate, or divisional justice shall cause such offender's name, place of abode, and offence to be published at the expense of such offender in such newspaper or in such other manner as to the said justices shall seem desirable.

Vendor to declare mixture at time of sale.

3. Any person who shall sell any article of food or drink or any drug, knowing the same to have been mixed with any other substance with intent fraudulently to increase its weight or bulk, and who shall not declare such admixture to any purchaser thereof before delivering the same and no other, shall be deemed to have sold an adulterated article of food or drink or drug, as the case may be, under this Act.

Pharmacy Act, 1868, and 23 & 24 Vict. c. 84. incorporated with this Act. Proviso, 33 & 34 Vict. c. 26.

4. The Pharmacy Act, 1868, and the Act twenty-third and twenty-fourth Victoria, chapter eighty-four, for preventing the adulteration of articles of food and drink, shall be deemed to be incorporated in this Act: Provided alway, that in the application of this Act to Ireland the Act passed in the session of Parliament held in the thirty-third and thirty-fourth year of the reign of Her present Majesty, chapter twenty-six, intituled "An Act to regulate the sale of poisons in Ireland," shall be deemed to be incorporated in this Act instead of the Pharmacy Act, 1868.

Appointment of analysts.

5. In the city of London and the liberties thereof the commissioners of sewers of the city of London and the liberties thereof, and in all other parts of the metropolis the vestries and district boards acting in execution of the Act for the better local management of the metropolis, in England the court of quarter sessions of every county, and the town council of every borough having a separate court of quarter sessions, or having under any general or local Act of Parliament, or otherwise a separate police establishment, in Ireland the grand jury of every county, county of a city, and county of a town, and town council of every borough, and in Scotland the commissioners of supply at their ordinary meetings for counties, and the commissioners or boards of police, or, where there are no such commissioners or boards the town councils for boroughs, within their several jurisdictions, may, and when required so to do by the Local Government Board in England, or by one of Her Majesty's Principal Secretaries of State in Scotland, or by the Lord Lieutenant or other chief governor or governors in Ireland, shall, for their respective city, districts, counties, or boroughs, appoint and remove one or more persons possessing competent medical, chemical, and microscopical knowledge as analysts of all articles of food, drink, and drugs purchased within the said city, metropolitan districts, counties, or boroughs, and shall pay to such analysts such salary or allowances as they may think fit; but such appointments and removals shall at all times be subject in England to the approval of the Local Government Board, in Scotland of one of Her Majesty's Principal Secretaries of State, and in Ireland of the Lord Lieutenant or other chief governor or governors.

Inspectors of nuisances, &c. may submit articles to be analyzed.

6. The inspector of nuisances or the inspector of weights and measures, or the inspector of markets, one or all of them, as the local authority appointing them shall think fit to determine, in every district, county, city, or borough, shall procure and submit samples of articles of food or drink and drugs suspected to be adulterated to be analyzed by the analysts appointed under this Act, and shall, upon receiving a certificate stating that the articles of food or drink or drugs are adulterated, cause a complaint of an offence against this Act by the party selling or adulterating such articles of food or drink or drugs to be made before a justice of the peace, and thereupon such justice shall issue a summons requiring the seller or the adulterator to appear before two justices of the peace at petty sessions in England, or before two justices of the peace in the justice of the peace court, or

before the sheriff substitute of the county, or before any magistrate acting under any general or local police Act in Scotland, or before justices of petty sessions or divisional justices in Ireland, to answer such complaint, and such summons shall be served by delivering the same, or a true copy thereof, upon the premises where such samples were obtained or sold, and the expense of such prosecutions, if not ordered to be paid by the party complained against, shall be deemed part of the expense of executing this Act.

Analysts to make reports quarterly to local authorities.

7. The analysts appointed under this Act shall report quarterly to the local authorities appointing them the number of articles of food, drink, or drugs analyzed by them under this Act during the foregoing quarter, and shall specify the nature and kind of adulterations detected in such articles of food, drink, and drugs, and all such reports shall be read at the meetings of the local authorities appointing such analysts.

Proof of identity of articles submitted to analysts.

8. On the hearing by the justices, sheriff substitute, magistrate, or divisional justice of any complaint under this Act in any district, county, city, or borough wherein analysts shall have been appointed under this Act, the purchaser, or inspector of nuisances, or the inspector of weights and measures, or the inspector of markets, as the case may be, shall prove to the satisfaction of such justices, sheriff substitute, magistrate, or divisional justice that the article of food or drink or drugs alleged to be adulterated was delivered to the analysts in the same condition as regards its purity or impurity as it was when received from the seller.

Purchaser of articles of food, &c. may require same to be analyzed.

9. Any purchaser of any article of food or drink or drugs in any district, county, city, or borough where there is any analyst appointed under this Act shall be entitled, on payment to the inspector or inspectors appointed under this Act of a sum not less than two shillings and sixpence nor more than ten shillings and sixpence, which shall be accounted for to the local authority appointing such inspector or inspectors, to have any such article analyzed by any analyst who may be appointed for such district, county, city, or borough, and to receive from such analyst a certificate of the result of his analysis, specifying whether, in his opinion, such article is adulterated, and also whether, if it be an article of food or drink, it is so adulterated as to be injurious to the health of persons eating or drinking the same, and such certificate, duly signed by such analyst, shall, in the absence of any evidence before the court to the contrary, be sufficient evidence of the matters therein certified, and the sum so directed to be paid for such certificate shall be deemed part of the costs.

Articles of food, &c. ordered for analysis to be received, and samples retained by inspectors.

10. All articles of food, drink, or drugs to be analyzed by the analysts appointed under this Act shall be received by the inspectors appointed by the local authorities, and from all such articles of food, drink, or drugs samples shall be taken and sealed in the presence of the analysts by the inspectors, to be retained by them and produced in case the justices, sheriff substitute, magistrate, or divisional justice shall order other analyses to be made.

As to expenses of executing Act.

11. The expense of executing this Act shall be borne, in the city of London and the liberties thereof, out of the consolidated rates raised by the commissioners of sewers of the city of London and the liberties thereof, and in the rest of the metropolis out of any rates or funds applicable to the purposes of the Act for the better local management of the metropolis, and in counties out of the county rate, or out of the grand jury cess in Ireland, and in boroughs out of the borough fund, and in Scotland out of the police money in counties and boroughs respectively.

Proceedings by indictment, &c. not to be affected.

12. Nothing in this Act contained shall be held to affect the power of proceeding by indictment, or to take away any other remedy against any offender under this Act.