

and for other purposes therein mentioned;" and so much of the ninth section thereof as limits the compensation of the clerk of the board of wardens to the sum of five hundred dollars; and the eighth section of the supplement to the said act, be and the same are hereby repealed; *Provided*, That the compensation of the said clerk shall not exceed eight hundred dollars per annum. Repeal of parts of former acts.
Proviso.

WILLIAM DAVIDSON, *Speaker*
of the House of Representatives.

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-fifth day of February, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.

CHAPTER LIX.

AN ACT

For the inspection of herring, shad and other salted fish in the borough of Columbia, in the county of Lancaster, and in the city of Pittsburg, in the county of Allegheny.

SECT. 1. *BE it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same,* That from and after the first day of April next, all salted fish, not previously inspected elsewhere according to law, brought to the borough of Columbia for sale, shall be inspected agreeably to the provisions of this act, and a person skilful in the goodness, quality and well curing of salted fish, shall be appointed inspector thereof. And it shall and may be lawful for said inspector to appoint a deputy, who shall have the same power and be allowed the same fees as the said inspector: *Provided nevertheless,* The said inspector shall be answerable for the conduct of his deputy. Salted fish to be inspected in the borough of Columbia.
An inspector to be appointed.
Deputy inspector.
Proviso.

SECT. 2. *And be it further enacted by the authority aforesaid,* That all salted fish in barrels and half barrels, brought to the said borough of Columbia for sale or transportation, shall be in such casks as the inspector may judge merchantable, sound and fit for transportation, tightened with at least twelve good and sufficient hoops, nailed with three nails in each chine-hoop, and three nails in each upper bilge-hoop, sufficient in every respect to hold pickle, and of the following dimensions, to wit: The length of the stave when in the cask, shall be twenty-seven and an half inches, the Description of the casks to be used for barrels and half barrels.

Dimensions, head seventeen and an half inches, the bilge twenty inches, and to contain twenty-eight gallons wine measure; and every half barrel containing shad or herring designed for sale or exportation, shall be of the guage of fourteen gallons of the measure aforesaid. And each barrel and half barrel, containing fish packed in the manner hereby required, and which shall be sound and merchantable and in all respects fit to be transported, shall be branded or marked on the head by the inspector with the words "Columbia Herrings," or other fish as the case may be, with the initial of the christian name and surname of the inspector at full length, and either number one or two, according to the quality thereof, that is to say: Fish of the best quality shall be branded or marked number one, and those of an inferior quality number two, the brand or marks to be by him provided for that purpose; and the inspector shall be entitled to receive from the owner, person or persons selling the same, six and one quarter cents for each and every cask thus inspected and branded or marked, and no more. And upon every barrel or half barrel of fish brought to the said borough, the owner or owners, person or persons having brought the same, shall, within eight days after the arrival in said borough, deliver to the inspector or his deputy a written report, ascertaining the number of casks and the place where the same shall be deposited, so that the same may be inspected, under the penalty of one dollar for each and every cask brought to the said borough. And no inspector shall brand or mark any barrel or half barrel of fish which he may think unsound and not merchantable, but shall cause the same to be marked on the bilge with the broad arrow thus ↗, or secure it for a future examination if required which examination the owner or owners, person or persons, selling the same, shall procure to be made within the space of four days; and the inspector shall and may demand and receive from the owner or owners, or person or persons selling the same, the same rates and prices as if the same had been branded or marked.

and contents of the same.

Brands to be used for different qualities of sound fish.

Inspector's fee for branding.

Duty of owner to report within eight days.

Penalty on neglecting.

Duty of inspector where the fish are unsound.

Fees of inspector.

Proceeding to review the inspector's judgment.

Damages may be awarded to the owner.

SECT. 3. *And be it further enacted by the authority aforesaid,* That when any person shall think himself aggrieved by the judgment of the said inspector, such person may apply to any justice of the peace, in the county of Lancaster, who shall issue his warrant, directed to three disinterested persons well skilled in the goodness, quality and well curing of salted fish, to review and examine the same, which said three persons, after having taken an oath or affirmation of office as reviewers, shall carefully review and examine the same; and if they or any two of them shall declare the same to be sound or merchantable, then and in such case the said inspector shall erase the broad arrow, and put such other brand or mark on the cask containing said fish, as they or any two of them may adjudge or determine. Also, the reviewers or any two of them, may adjudge and award for the owner or owners of said

fish, what reasonable damages (if any) he or they may have sustained by such erroneous judgment of the inspector, said damages (if any) to be paid by the corporation; and if, upon an appeal and review as aforesaid, the judgment of the inspector be confirmed, the person appealing shall pay the expense of such review.

Expense how paid if the judgment be confirmed.

SECT. 4. *And be it further enacted by the authority aforesaid,* That it shall not be lawful for any person to lade on board of any boat, raft or craft, any casks of fish marked with the broad arrow, or to sell or lade on board any boat, raft or craft any barrel or half barrel of fish not examined and branded or marked as aforesaid, under the penalty of ten dollars for each and every barrel or half barrel so sold or laden; nor shall it be lawful for any person or persons to purchase or sell in the borough of Columbia, any such cask not previously examined and branded or marked, under the penalty of five dollars for every such cask so sold or offered for sale, or purchased within said borough: nevertheless, it shall not be required by this act, that any salted fish brought to said borough from any seaport or other place where the same has been previously inspected by a person appointed by law for that purpose, to have them reinspected, unless it be requested by the purchaser, and in that case the expense shall be paid by the purchaser, if the judgment of the former inspector shall be confirmed. But if the inspector adjudges them to be unsound or, not merchantable, he shall mark them as such, or if he shall judge it necessary to add salt or pickle to make them merchantable, he shall direct it to be done, and in that case it shall be done at the expense of the owner or seller of such fish.

Penalty for lading on board any boat, &c. casks marked with the broad arrow, or selling or lading, &c. any barrel, &c. not examined. Penalty for purchasing or selling in the borough casks not examined, &c. If previously inspected, a second inspection not necessary unless requested, &c. Expense how paid in that case.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the said inspector shall not purchase directly or indirectly any salted fish by him condemned, or any fish other than for his own family's use; nor shall he directly or indirectly be concerned in making, vending or furnishing any cask or casks, for the purpose of packing, repacking or curing any fish brought to any boat, raft or craft at or in said borough; nor shall he be concerned in the cooperage of any cask containing fish, that shall be inspected in said borough; nor shall he vend or furnish any salt, for the curing or salting any fish that are or shall be inspected in the said borough, under the penalty of forfeiting and paying for every offence five dollars: nevertheless, it may be lawful for said inspector, and he is hereby directed, if requested by the owner or his agent, to do or cause to be done the necessary cooperage of the casks, filling up and adding salt or pickle if necessary, for which the owner or his agent shall pay him not more than six and one quarter cents for each cask, and not more than four cents for each new hoop put on; but the owner or his agent shall procure the salt and fish for filling up such casks as may require it.

Penalty on inspector for purchasing salted fish, &c. or being concerned in making, &c. casks for packing fish, &c. or being concerned in cooperage of casks containing fish, &c. or vending salt, &c.

What he may do.

Penalty for altering, &c. the brand or mark, or branding, &c. with a similar brand, &c. or after inspection, packing in other salted fish; or after being marked, &c. unpacking, &c. the same.

Owners of salted fish to comply with the requisitions of the inspector as to packing, &c.

Penalty for refusing or neglecting.

How the fines shall be recovered and appropriated.

This act extended to the city of Pittsburgh.

SECT. 6. *And be it further enacted by the authority aforesaid,* That if any person shall alter, erase or deface the brand or mark from any barrel or half barrel, or shall brand or mark any barrel or half barrel of fish that hath not been inspected, with any brand or mark similar to or in imitation of the inspector's brand or mark; or after the said inspector shall have passed any barrel or half barrel of fish as merchantable, shall pack into the cask that contains the same any other salted fish; or after any barrel or half barrel of fish shall be marked with the broad arrow, shall unpack and repack the same into other casks or packages for sale, such person shall forfeit and pay for each and every such offence twenty dollars.

SECT. 7. *And be it further enacted by the authority aforesaid,* That all casks of salted fish brought to the borough of Columbia for sale, and which by this act is directed to be inspected, shall be filled up by the owner or owners, person or persons employed for that purpose, and by him or them packed or repacked as the case may be, if required so to be done by the inspector, and in all respects completed in such manner as he shall direct, for the purpose of having the same made fit for sale or transportation. And any person or persons, owner or owners thus employed by them, refusing or neglecting therewith, shall forfeit and pay one dollar for each and every offence. And if any herrings or other fish required by this act to be inspected, shall, on the examination thereof by the inspector, prove to be falsely packed, that is to say, If the fish in one part of the cask shall prove to be of different and inferior quality from the other, or packed with any improper or unfit substances, with intent to defraud, the owner or owners, agent or agents, shall forfeit and pay for each and every cask the sum of five dollars.

SECT. 8. *And be it further enacted by the authority aforesaid,* That all and every fine or fines imposed by this act, shall be recovered with costs as debts of the same amount are recoverable in this Commonwealth, and the same when recovered shall be appropriated as follows, to wit. One half to the informer, and the other half to the use of the borough of Columbia.

SECT. 9. *And be it further enacted by the authority aforesaid,* That all the provisions in this act be and the same are hereby extended to the city of Pittsburgh, in the county of Allegheny.

WILLIAM DAVIDSON, *Speaker*
of the *House of Representatives.*

ISAAC WEAVER,
Speaker of the Senate.

APPROVED—the twenty-fifth day of February, one thousand eight hundred and eighteen.

WILLIAM FINDLAY.