

SECTION 8. That the provisions of the thirty-seventh, thirty-eighth, thirty-ninth, fortieth and forty-first sections of the act of fourteenth April, one thousand eight hundred and thirty-four, shall be construed to extend to all cases in the orphans' court, registers' court, quarter sessions or oyer and terminer, in which the president judge or associate judges, or either of them shall be personally interested or otherwise disqualified for the performance of judicial duty, from any of the causes specified in said sections: *Provided*, That in cases affecting the interest of one associate judge only, it shall be discretionary with the president judge of the court where the cause is depending to direct a special court under the provisions of said sections, if he shall deem it essential to a proper administration of justice. Judges
Proviso

HENDRICK B. WRIGHT,
Speaker of the House of Representatives.

B. CRISPIN,
Speaker of the Senate.

APPROVED—The fourth day of April, one thousand eight hundred and forty-three.

DAVID R. PORTER.

[No. 68.]

AN ACT

Authorizing the appointment of an Inspector of sole, rough harness and rough skirting leather, in the city and county of Philadelphia.

SECTION 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 the governor shall be and he is hereby authorized and required within two months from and after the passage of this act, and every third year thereafter, to appoint a suitable person of experience and skill in regard to the various qualities of said article, and who shall have served a regular apprenticeship at the tanning or currying business, and afterwards been engaged at least seven years in working at or dealing therein, to be an inspector of sole leather, rough harness and rough skirting leather in the city Governor to
appoint

and county of Philadelphia, for the term of three years next ensuing his appointment, and until his successor shall be appointed and qualified.

Oath **SECTION 2.** That every such inspector before he enters upon the duties of his office shall take and subscribe before some person authorized to administer the same, the following oath or affirmation: "I do solemnly and sincerely swear or affirm, (as the case may be,) that I will faithfully, truly and impartially execute and perform the duties of inspector of sole leather, rough harness and rough skirting leather, in the city and county of Philadelphia, according to the best of my judgment and abilities;" which said oath or affirmation when taken and reduced to writing, he shall cause to be filed among the records of the court of quarter sessions of said county.

Bond Every such person shall moreover, before entering on the duties of his office, execute a bond to the commonwealth in the sum of three thousand dollars, with such surety as shall be approved by the court of quarter sessions aforesaid, or by at least two of the judges thereof in vacation, conditioned for the faithful performance of the duties imposed upon him by law; which bond shall be for the use of all persons who may be aggrieved by the acts or neglect of such inspector.

Duty of Inspector **SECTION 3.** That it shall be the duty of every such inspector to provide both himself and such deputy or deputies as he may, under the provisions hereinafter contained, from time to time appoint, with such and so many proper scales, weights and stamps as may be required for the convenient and faithful performance of the duties imposed by this act; and it shall be his duty when thereunto required, to go himself or send some deputy to inspect any sole leather, rough harness or rough skirting leather within the limits of said city and county, and the manner of inspecting and marking shall be as follows, viz: Each side of leather shall be accurately weighed and the weight thereof stamped or branded thereon in plain, strong and legible figures, expressing the number of pounds and quarter pounds if any; and the quality of each side shall also be stamped or branded thereon in plain, strong and legible letters according to the following directions, that is to say—if the side is of good quality of hide and of the best manufacture there shall be stamped or branded on it the word "best;" if the side is of good quality of hide and of good manufacture the word "good;" if the side is of good quality of hide but of bad manufacture the word "bad;" and if the side is damaged the word "damaged." There shall also be stamped or branded on each side "inspected," the surname of the inspector, and the word "Philadelphia."

Weighed stamped &c

Quality

"Best"

"Good"

"Bad"

"Damaged"

"Inspected"

&c

SECTION 4. No such inspector shall inspect or permit to be

inspected any leather which is unmerchantably damp, and in all cases in which any side or sides of leather inspected in pursuance of the provisions of this act shall fall short of the inspection weight marked thereon, equal to five per cent., such inspector shall be liable to the owner of the same in an action of debt with costs before any alderman or justice of the peace for all such deficiency; and in all cases in which any side or sides of leather being merchantably dry shall exceed the inspection weight marked thereon, equal to five per cent., such inspector shall be liable to the tanner of the same or to the person aggrieved thereby in a like action for all such overplus or excess.

Liability of
Inspectors

SECTION 5. Every such inspector appointed as aforesaid may from time to time appoint one or more deputies to assist him in the performance of the duties of his office, and the same remove at pleasure, who shall possess the like qualifications and take and subscribe the like oath or affirmation to perform the duties of "deputy inspector" as are prescribed in the first and second sections of this act in relation to the inspector; which oath or affirmation shall in like manner be filed amongst the records of the court of quarter sessions of said county; the said deputy or deputies shall be paid by the inspector appointing them, and shall be accountable to him for the faithful discharge of their duties; and the said inspector shall be responsible for their acts in the same manner as if done by himself personally.

Deputies oath
duties &c

SECTION 6. Every such inspector shall be entitled to receive as compensation or fees for his services two cents for each and every side of leather inspected by himself or deputy, payable by the party employing him; and the amount thereof shall always thereafter be a lawful charge on the purchaser of such leather; and if any such inspector shall refuse or neglect to cause to be inspected any parcel of leather required by this act to be inspected, for a time exceeding thirty-six hours after he shall have been requested to inspect the same, he shall forfeit and pay to the owner thereof five cents an hour upon each and every side of leather contained in such parcel for each and every hour he shall omit or delay to inspect the same, over and above the thirty-six hours aforesaid; which said penalty shall be recoverable in an action for debt before any alderman or justice of the peace of the proper city or county.

Fees

SECTION 7. If any person or persons shall sell or purchase, ship, export, send or take, or cause to be shipped, exported, sent or taken from within the limits of said city or county, any sole leather, rough harness or rough skirting leather not lawfully inspected, as aforesaid, after an inspector appointed in pursuance of the provisions of this act, shall have entered

Penalty for
selling or
shipping lea-
ther not in-
spected

upon the duties of his office, he or they shall forfeit and pay three dollars for each and every side of such leather so sold, purchased, shipped, exported, sent or taken, recoverable with costs in the name of the commonwealth, in an action of debt before any court, alderman or justice of the peace, having jurisdiction in such cases, one-half thereof for the use of the informer, and the other half for the use of the commonwealth: *Provided*, That this act shall not be so construed as to require the inspection of any leather that has already been inspected and marked, stamped or branded, in pursuance of the inspection laws of any other state.

Proviso

Penalty for
altering
marks

SECTION 8. If any person shall fraudulently alter any of the marks, stamps or brands of any such inspector, on any side or sides of leather, after the same shall have been inspected as aforesaid, or shall use any false marks, stamps or brands, or shall mark, stamp or brand any such leather in the manner provided in this act, without the authority of such inspector, he shall be deemed guilty of a misdemeanor, and be punished by fine not exceeding two hundred dollars, or by confinement in the jail of said county, not less than three, nor more than six calendar months, or by both, at the discretion of the court.

Disputes how
settled

SECTION 9. That in any dispute arising about the inspection of any leather between the inspector and the owner thereof, it shall be the duty of the inspector to appoint one person, and the owner another, and these two so chosen shall appoint a third, all three of whom so appointed or chosen shall be practical tanners or dealers in leather, who shall act as arbitrators for deciding all questions at issue between the parties, under oath or affirmation, and shall receive as compensation for said services, one dollar each, for each case so decided, to be paid by the party in error, according to the decision or award of said arbitrators.

Report of In-
spector

SECTION 10. Every such inspector shall report annually in the month of January, to the auditor general, the quantities, qualities and number of sides of leather by him inspected during the year immediately preceding such report, with the amount of fees received by him, and the expenses attending said inspection during the same period, which report shall be verified by the oath or affirmation of such inspector.

Office.

Vacancy

SECTION 11. The person appointed to the office of inspector, as aforesaid, shall keep an office open during the usual business hours, at some convenient place within one mile of the court house in said city, and in case of a vacancy in said office, by death, resignation or removal from said city or county, or otherwise, the governor shall appoint another per-

son of like qualifications in his stead, who shall perform all the duties, have all the rights, and be subject to all the penalties and provisions of this act for the remainder of the term so vacated; but no person shall hold the office or perform the duties of inspector or deputy inspector, who shall be in any way concerned directly or indirectly for himself or for any other person, in tanning or currying, or in any dealing or trafficking in leather of any kind; and if any such inspector or deputy inspector, during his continuance in office, shall be either directly or indirectly, for himself or any other person interested or concerned in the tanning or currying or in the dealing or trafficking in leather of any kind as aforesaid, he shall upon conviction thereof, before any court, have

Pen'ly when Inspector is engaged in tanning &c

Speaker of the Senate.

APPROVED—The fourth day of April, one thousand eight hundred and forty-three.

DAVID R. PORTER.

[No. 69.]

AN ACT

To incorporate the York County Mutual Insurance company.

SECTION 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 Michael Ebert, Peter Peters, Michael Smyser, Senior, George Loucks, (of Jacob,) Michael Doudel, Joseph Smyser, David Smyser, Henry Ebert, Junior, Daniel Loucks, Henry Smyser, (of Peter,) David Beeler, John G. Campbell, George Loucks, (Miller,) and all other persons who may hereafter associate with them, in the man-*

Corporators