

article, clause, matter, and thing therein contained shall be and is hereby declared to be in full force and virtue until all the purposes aforesaid shall be fully answered and completed. And if the said rates and sums of money shall produce more than sufficient for the purposes aforesaid, the overplus shall remain in the hands of the provincial treasurer, to be disposed of by act of general assembly.

[Section XXVI.] And be it further enacted by the authority aforesaid, That so much of the said several acts of general assembly continuing the excise aforesaid on wine, rum, brandy and other spirits hereinbefore recited as relates to the extending and further continuing the said excise shall be and is hereby declared to be repealed and made null and void from and after the said tenth day of April next ensuing the publication hereof.

Passed March 21, 1772. Referred for consideration by the King in Council, January 15, 1773, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXX.

As to Sections I-V, see the note to the Act of Assembly passed March 5, 1725-26, Chapter 289.

As to Sections VI-XXVI, see the Acts of Assembly passed February 18, 1777, Chapter 743; March 15, 1779, Chapter 325; March 17, 1780, Chapter 897; April 6, 1781, Chapter 938; March 19, 1783, Chapter 1016; March 21, 1783, Chapter 1024; December 9, 1783, Chapter 1061; April 5, 1785, Chapter 1161; April 1, 1790, Chapter 1506. This portion of the act in the text was repealed by the Act of Assembly passed September 21, 1791, Chapter 1532.

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## CHAPTER DCLVII.

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### AN ACT TO PREVENT FRAUDS AND ABUSES IN THE MANUFACTURING OF LEATHER.

Whereas great frauds and abuses have been committed in the manufacturing of leather within this province:

For remedy whereof:

[Section I.] Be it enacted by the Honorable Richard Penn, Esquire, Lieutenant-Governor under the Honorable Thomas Penn and John Penn, Esquires, true and absolute Proprietaries of the Province of Pennsylvania, by and with the advice and con-

sent of the representatives of the freemen of the said Province in General Assembly met, and by the authority of the same, That from and after the publication of this act if any butcher, by himself or any other person employed by him, shall gash or cut any hide of any ox, bull, steer, cow or skin of any calf in flaying thereof or otherwise, whereby the same shall be impaired or hurt, or shall not free and clear all such hides or skins from the offal parts by cutting off the shanks round above the dew-claws, every such butcher so offending shall forfeit the sum of two shillings for every such hide or skin so gashed or cut, or not freed from the offal parts as aforesaid; and if any butcher shall knowingly offer to sale any hide or skin putrefied or rotten he shall forfeit the sum of three shillings for every such hide or skin so putrefied or rotten and offered to sale.

[Section II.] And be it further enacted by the authority aforesaid, That no person or persons whatsoever, who shall by himself or any other person use the craft or mystery of tanning of leather, shall, from and after the first day of May next ensuing the publication of this act, suffer any hide or calf skin to lie in the limes till the same be over limed, nor shall put any hides or skins into any tan fat before the lime be well and sufficiently soaked and wrought out of them, nor shall use, employ or put by themselves or any other person or persons any ingredient or stuff on or about the workmanship or tanning of leather, save only the barks of white oak, black oak, Spanish oak, chestnut oak, hemlock, oak sawdust, birch and beech, lime meal, malt or hen's dung, nor shall willingly suffer his or their leather to be laid or to hang or lie in any frost until the same be frozen, nor shall parch the said leather with the heat of fire or of the summer sun, nor shall willingly and knowingly tan or cause to be tanned any hide or skin or part thereof, being putrefied or rotten by long lying, either before the putting it into the limes or after in the water or liquor, or by any other means whatsoever, nor shall suffer the hides for utter sole leather to lie in the woozes any less time than twelve months at least, nor the hides for upper leather in the woozes any less time than nine months at the least, nor any calf skins any less time than six months, nor shall negligently work the hides or skins in the woozes, but shall

renew and make strong their woozes as often as shall be requisite, under the penalty of ten shillings for every such hide or skin tanned or wrought contrary to the true meaning of this act.

[Section III.] And be it further enacted by the authority aforesaid, That every tanner or other person or persons who shall have any leather for sale shall keep the same in a house on a board floor at least two feet above the ground where there shall be no cellar under such floor, and where there is a cellar at least one foot above the first or ground floor in such house, under the penalty of five pounds for every such offense being thereof legally convicted.

[Section IV.] And be it further enacted by the authority aforesaid, That from and after the said first day of May next ensuing the publication hereof no person or persons shall set their fats in tan-hills or other places where the woozes or leather that shall be put to tan in the same shall or may take any unkind heats, or shall tan any hide or skin with any hot or warm woozes whatsoever, under the penalty of twenty pounds.

And as no leather can be so well tanned but it may be injured and spoiled in the currying:

[Section V.] Be it therefore enacted by the authority aforesaid, That from and after the said first day of May next after the publication hereof no person or persons shall curry any kind of leather which shall not be well and perfectly tanned, nor shall curry any hide or skin not being first thoroughly dried after his or their wet season; in which wet season he or they shall not use any deceitful or subtile mixture, way or means to corrupt and hurt the same, nor shall curry any leather proper for upper leather and inner soles, but with good and sufficient stuff, being fresh and not salt and thoroughly liquored, nor shall burn or scald any hide or skin in the currying, nor shall shave any leather too thin, nor shall gash or hurt any leather in the shaving or by any other means, but shall work the same well and sufficiently in all points and respects, under the penalty of forfeiting for every such offense or act done contrary to the true intent and meaning of these several provisions the sum of five shillings for every hide or skin spoiled by bad workmanship.

[Section VI.] And be it further enacted by the authority

aforesaid, That every person or persons who shall after the said first day of May tan or curry any hide or skin shall mark on the same with fair and legible characters the letters of his or their surname or names at full length before he or they shall offer the same for sale, under the penalty of five shillings for every hide or skin so offered to sale and not marked as aforesaid; and that every cordwainer and shoemaker shall mark on every pair of boots, shoes, pumps and slippers by him made or caused to be made before he shall offer the same for sale the initial letters of his christian and surname, under the same penalty.

And forasmuch as leather well tanned and curried may by the negligence or deceit of the cordwainer or shoemaker be wrought or manufactured to the injury of the public:

[Section VII.] Be it therefore enacted by the authority aforesaid, That if any person or persons after the said first day of May next ensuing the publication hereof, using the mystery or occupation of a cordwainer or shoemaker, shall make or cause to be made any boots, shoes, pumps or slippers of any kind whatsoever of any leather which shall not be well and sufficiently tanned and curried, according to the purport and true meaning of this act, or shall not well and substantially sew such boots, shoes, pumps or slippers with good thread, well twisted and made and sufficiently waxed with wax well rosined, and stitches hard and sufficiently drawn, every such person or persons so offending shall forfeit for every such pair of boots, shoes, pumps or slippers made, sold or offered to sale the sum of five shillings.

[Section VIII.] And be it further enacted by the authority aforesaid, That if any person or persons, who shall engross or get into his or their hands by buying, promising or contracting with any person or persons within this province any unwrought leather, shall, after the publication of this act, utter, sell or cause to be uttered or sold within the limits and places described by this act, except only in the open market [places] thereof, every such person or persons being thereof legally convicted shall forfeit and pay the sum of one hundred pounds for every such offense.

[Section IX.] And be it further enacted by the authority

aforesaid, That no person or persons whatsoever, from and after the said first day of May, shall sell or offer to sale or apply to use within the city of Philadelphia, the district of Southwark, the townships of the Northern Liberties, Moyamensing, Passyunk and Germantown or within the borough of Lancaster or within two miles thereof, any tanned leather, before the same shall be duly viewed, examined and sealed by one of the searchers and sealers of leather appointed by virtue of this act for the said city, townships and borough, respectively, under the penalty of forfeiting all such tanned leather so sold or offered to be sold or applied to use as aforesaid.

[Section X.] And be it further enacted by the authority aforesaid, That if any merchant or other person shall from and after the said first day of May lade or put on board any ship or other vessel any leather for exportation out of this province before the same shall be viewed, examined and sealed by the searchers and sealers or one of them as good and sufficient, every such person, being legally convicted thereof in any court of record within this province, shall forfeit all such leather so laden or put on board and not sealed as aforesaid.

[Section XI.] And be it further enacted by the authority aforesaid, That Benjamin Kendall, of Philadelphia, shall be and is hereby appointed searcher and sealer of leather, within the city of Philadelphia, district and townships aforesaid; and that Michael Hubley, of Lancaster, shall and is hereby appointed searcher and sealer of leather for the said borough of Lancaster and district adjoining, which said searchers and sealers, respectively, shall view, examine and search all and every tanned hide, skin and leather which shall be sold or offered to be sold within the respective limits aforesaid, whether the same be sufficiently and perfectly tanned, curried and thoroughly dried, according to the purport and true meaning of this act, and if they, or either of them, shall find the same to be sufficiently and perfectly tanned and curried and thoroughly dried in such manner and form as by this act [is] directed, shall seal the same with his surname and the name of the city or borough for which he is the sealer.

[Section XII.] And be it further enacted by the authority

aforesaid, That the said searchers and sealers of leather are hereby empowered to appoint deputies within their respective limits for whom they shall be accountable, and the said deputies are hereby fully authorized to act as deputy officers in their respective limits in searching and sealing of leather and in all other matters and things enjoined and required of their said principals by this act to all intents and purposes. And that every of the said officers shall provide themselves with proper seals for the purposes in this act mentioned, and if any person or persons shall presume to counterfeit the same, or any of them, being thereof legally convicted, he shall forfeit the sum of fifty pounds.

[Section XIII.] And be it further enacted by the authority aforesaid, That every of the said officers and their deputies, before he or they shall do and perform any of the duties hereby enjoined or required of them, shall take an oath or affirmation before some justice of the peace for the city or county where they shall reside:

That he will faithfully, truly and impartially, according to the best of his skill and judgment, execute, do and perform the office and duty of a searcher and sealer of leather, and that he will not, directly or indirectly, buy or sell any leather during the continuance of his said office except for the private use of his family, nor take any more or other rewards or fees than is allowed according to the true intent and meaning of this act.

[Section XIV.] And be [*sic*] further enacted by the authority aforesaid, That the said officers and every of them shall have full power and authority by virtue of this act, without any further or other warrant, to enter on board any ship or other vessel lying or being in the port of Philadelphia, or in any other place within this province, to make discovery of any leather put on board for exportation, and to enter into all suspected houses and places within their respective limits to search for any leather, tanned and not dried, or wrought into wares contrary to the true meaning of this act, and if the master or owner of such ship or other vessel or any owner of such house or other suspected place shall refuse to permit the said officers, or any of them, to view, examine and seal any leather according to the directions of this act, every such person so offending, be-

ing thereof legally convicted, shall forfeit the sum of fifty pounds.

[Section XV.] And be it further enacted by the authority aforesaid, That if any of the said officers within their respective limits shall find any hide or skin, flayed or tanned, dried and curried, or leather wrought into wares contrary to the true intent and meaning of this act, he shall immediately seize and retain the same until it shall be examined and tried in the manner hereinafter directed, and with all convenient speed give notice thereof to some justice of the peace of the city or county where such seizure shall be made, who shall forthwith issue his warrant, directed to any constable of the said city or county, against the person or persons offending in any of the premises, commanding the said constable to bring the body of such offender before him at such time and place as he shall appoint, and shall also appoint three indifferent and skillful persons who, being duly summoned by summons, to be issued by the said justice, shall be present, and shall on oath or affirmation, to be administered by the said justice, search, examine and try whether the said hides, skins or wares so seized shall be sufficiently flayed, tanned, dried, curried and wrought into wares according to the provisions, true intent and meaning of this act, and if the said hides, skins or wares shall be adjudged by the said persons so appointed to search and examine and try the same sufficient, they shall be marked by the officers aforesaid, or one of them, in the manner leather found sufficient by the said officers is hereinbefore directed to be marked, and if found bad, with the letters BAD. And in case it shall appear that any such person so apprehended and brought before the said justices is guilty of any of the said offenses, the said justice shall forthwith give judgment against him and commit his body to the gaol of the city or county, there to remain without bail or mainprise until he shall pay the penalty and penalties by this act inflicted on his said offense or offenses, with all costs and charges. But if the said leather, hides, skins or wares shall be found sufficient according to the true intent and meaning of this act, the charges of prosecution shall be paid by the searcher or sealer seizing the same. And in case any of the said offenses shall be committed

out of the limits aforesaid and information thereof shall be given to any justice of the peace of the county, it shall and may be lawful for the said justice, and he is hereby enjoined and required to issue his warrant, directed to any constable, authorizing and requiring him to seize such hides, skins or leather and to bring the same, together with the body of the offender, before him at such time and place as he shall appoint, to summon in like manner the like number of indifferent persons, and to proceed to hear, try and determine the same in the same manner as is hereinbefore directed as to offenses committed within the limits aforesaid.

[Section XVI.] And be it further enacted by the authority aforesaid, That if any searcher or sealer shall neglect or refuse with all convenient speed to attend his duty in searching and sealing of leather as by this act is directed, he shall forfeit the sum of twenty shillings for every twenty-four hours he shall so neglect or refuse, to be recovered as debts under forty shillings are by law directed to be recovered.

[Section XVII.] And be it further enacted by the authority aforesaid, That if any of the said officers or any other officer hereafter to be appointed by virtue of this act shall by any accident be rendered incapable, or neglect to execute the said office of searcher and sealer, or shall happen to die, it shall and may be lawful to and for a majority of the justices of the peace for the city or county where such officer shall reside to supply his place by some other fit and capable person, who shall thereupon be invested with as full power and authority as the person in whose place or stead he shall be appointed until another shall be appointed by act of general assembly.

[Section XVIII.] And be it further enacted by the authority aforesaid, That the said officers shall have and receive for their trouble in examining, searching and sealing every side of leather three half pence, and for examining, searching and sealing every dozen of calfskins eight pence and no more, to be paid by the owner of such hide or skins and recovered as debts under forty shillings are by law directed to be recovered.

[Section XIX.] And be it further enacted by the authority aforesaid, That all and every the fines, forfeitures and penalties



imposed for any offense in and by this act shall be paid and delivered to the overseers of the poor of the city, borough, district or township where the offense shall be committed for the use of the poor thereof.

[Section XX.] And be it further enacted by the authority aforesaid, That this act shall continue and be in force for and during the space of three years and from thence to the end of the next sitting of assembly and no longer.

[Section XXI.] And be it further enacted by the authority aforesaid, That so much of an act of assembly of this province made in the seventh year of His Majesty George I, entitled "An act for the well tanning and currying of leather and regulating of cordwainers and other artificers using and occupying leather in this province,"<sup>1</sup> as relates to the tanning and currying of leather, to the prices of leather and shoes and boots, and such other parts of the said act as by this act is altered, amended or supplied, shall be and is hereby repealed.

Passed March 21, 1772. Referred for consideration by the King in Council, January 15, 1773, and allowed to become a law by lapse of time in accordance with the proprietary charter. See Appendix XXX, and the note to the Act of Assembly passed August 26, 1721, Chapter 247. Repealed by the Act of Assembly passed February 26, 1773, Chapter 677.

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## CHAPTER DCLVIII.

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### AN ACT FOR EXPLAINING AND BETTER ASCERTAINING THE BOUNDARY LINES OF THE COUNTY OF BEDFORD.

Whereas by an act of general assembly of this province, entitled "An act for erecting a part of the county of Cumberland into a separate county,"<sup>2</sup> passed in the eleventh year of the present reign, it was enacted, That all and singular the lands lying and being within the boundaries following: That is to say, Beginning where the Province line crosses the Tuscarora Mountain

<sup>1</sup> Passed August 26, 1721, Chapter 247.

<sup>2</sup> Passed March 9, 1771, Chapter 629.