

H. R.....No. 47.

Commonwealth of Massachusetts.

In the year of our Lord one thousand eight hundred and twenty-eight.

AN ACT,

Providing for the inspection of Sole Leather.

1 SEC. 1. **BE** it enacted by the Senate and House
2 of Representatives in General Court assembled,
3 and by the authority of the same, That the
4 Governor of this Commonwealth, by and with
5 the advice and consent of the Council, shall, as
6 soon as convenient after the passing this act,
7 appoint and commission two or more inspectors
8 of Sole Leather in the City of Boston. And one
9 or more in each of the towns of Roxbury in the
10 County of Norfolk ; Charlestown, Cambridge,
11 and Medford in the County of Middlesex; Salem,
12 Newburyport, Danvers, and Lynn, in the Coun-
13 ty of Essex. And also in such other place
14 or places, as the Governor and Council shall, on
15 application therefor, by any person or persons,
16 deem expedient and proper ; who shall, unless
17 sooner removed by the Governor and Council,
18 hold their offices during the term of three years.
19 And when any vacancy or vacancies shall hap-
20 pen by death, resignation, removal, or otherwise
21 they shall be filled in like manner. And each

22 inspector appointed by virtue of this act, shall
23 before he enters on the execution of the duties
24 of his office, take an oath or affirmation (to be
25 endorsed and by him subscribed on his said
26 commission) before any Justice of the Peace
27 within the county where such inspector resides.
28 And the said Justice shall likewise make a cer-
29 tificate of the oath so taken on said commission.
30 And the oath to be administered shall be in the
31 form following, viz. " I, A. B. do solemnly swear
32 (or affirm as the case may be) that I will faith-
33 fully and impartially to the best of my know-
34 ledge and skill, execute and perform the
35 office and duty of inspector of Sole Leather, ac-
36 cording to law."

1 SEC. 2. *Be it further enacted,* That no Sole
2 Leather, except such as shall have been previ-
3 ously inspected by one of the inspector in this
4 Commonwealth or by some inspector lawfully
5 appointed for that purpose in some other state
6 or territory, shall be sold to any person, for any
7 purpose whatsoever within any city, town, or
8 place, for which such inspector has been ap-
9 pointed; whether such Sole Leather be manu-
10 factured within said Commonwealth, or impor-
11 ted or brought into the same from any place
12 whatsoever, until the same shall have been
13 inspected, weighed, and sealed, by one of the
14 inspectors appointed as aforesaid; and if any
15 person shall sell more than one side of Sole
16 Leather at any one time within any place for
17 which an inspector has been appointed, unless
18 the same shall have been previously inspected as

19 aforesaid he shall forfeit and pay for every such
 20 offence a sum not less than five nor more than
 21 twenty dollars, according to the degree of the
 22 offence; to be recovered in an action of the
 23 case in any court proper to try the same, one
 24 half to the use of the person, who shall first sue
 25 therefor, and the other half to the use of the
 26 town where the offence has been committed.

1 SEC. 3. *Be it further enacted*, That it shall be
 2 the duty of said inspectors to go, whenever re-
 3 quested, within the place for which he is ap-
 4 pointed inspector, and inspect such Sole Lea-
 5 ther as he shall be so requested to inspect.
 6 *Provided however*, that when there shall be less
 7 than thirty sides to be inspected, or the distance
 8 shall be more than one mile from such in-
 9 spectors place of residence, then, and in that
 10 case such inspector may at his election either
 11 require such Sole Leather to be brought to him
 12 for inspection, or he may demand and shall be
 13 entitled to receive at the rate of five cents for
 14 each mile's travel, to be computed both in going
 15 from, and returning home. And it shall be his
 16 duty also to provide himself with proper scales,
 17 weights, and seals, for the purpose aforesaid and
 18 weight and impress on every side of Sole
 19 Leather, he shall so inspect his surname and the
 20 name of the place for which he is inspector at
 21 full length, and also the weight thereof: and on
 22 all Sole Leather he shall find manufactured of
 23 good hides in the best manner, the word
 24 "good" and all leather manufactured of dam-
 25 aged hides in a merchantable manner, the word

26 "damaged" and on all Leather badly manu-
 27 factured the word "bad." And if any person
 28 or persons shall counterfeit such mark or marks
 29 by making any impression or mark, or alter, or
 30 deface the same, on any Sole Leather so in-
 31 spected, such person so offending shall forfeit
 32 and pay for every side of Sole Leather so false-
 33 ly marked, and impressed or defaced, or altered,
 34 the sum of twenty-five dollars, to be sued for,
 35 recovered, and applied in manner aforesaid.

1 SEC. 4. *Be it further enacted*, That on applica-
 2 tion of any person it shall and may be lawful
 3 for any inspector appointed by virtue of this
 4 act to inspect Sole Leather in any other part of
 5 the county or in any of the counties adjoining
 6 to the county in which such place is situated
 7 for which he is appointed inspector. *Provided*
 8 there be no inspector for such part of the coun-
 9 ty or such adjoining counties.

1 SEC. 5. *Be it further enacted*, That there
 2 shall be paid to the inspector for inspection,
 3 weighing, and sealing each side of Sole Leather
 4 the sum of three cents, the one half of which
 5 shall always be considered a legal charge to be
 6 paid by the purchaser to the vender.

1 SEC. 6. *Be it further enacted*, That if any
 2 side or sides of Sole Leather shall dry away so
 3 as to weigh five per cent less than the weight
 4 marked thereon by any inspector, the inspector
 5 who inspected the same shall be subject to the
 6 payment of the whole of such deficiency at a
 7 just valuation, to be recovered in an action of
 8 the case in any court having jurisdiction of like
 9 cases.