

the will aforesaid. And the remaining one third part shall be vested in such stock as the orphans' court of the said county shall direct, and the same shall be held by the said **John Clunn** his executors or administrators, for the following uses and trusts, to wit: To pay to the said **Catharine Brustar**, during her natural life, the interest accruing upon the said stock, and at her death to distribute the same among the legal heirs, of the said **Henry**, in the same manner and in the same proportions as the two thirds of the proceeds of the sale aforesaid are herein directed to be distributed.

One third part to be vested in certain stock.

JOHN ST. CLAIR, *Speaker*
of the house of Representatives.

P. C. LANE, *Speake of the Senate*.

APPROVED—the twenty-eighth day of March, one thousand eight hundred and fourteen.

SIMON SNYDER.

CHAPTER CLXXVIII.

An ACT authorizing the appointment of an auctioneer for the borough of Pittsburg.

SECT. I. 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 be and he is hereby authorized, to appoint and license an auctioneer for the borough of Pittsburg, to continue during his will and pleasure, and the auctioneer so appointed, before he enters upon the duties of his appointment, shall give bond to the governor, with one or more sufficient sureties, in the sum of five thousand dollars, conditioned for the faithful discharge of his duty, and for his well and truly making the payments in and by this act directed and required.

An auctioneer to be appointed for the borough of Pittsburg.

SECT. II. And be it further enacted by the authority aforesaid, That the said auctioneer shall have full powers within the borough of Pittsburg, to set up and expose to sale by public outcry and vendue, all and any houses, lots, lands, goods, wares and merchandize, and property of what nature or amount soever; and if any person or persons, other than the said auctioneer, or his deputy, duly authorized, shall be found selling or disposing of any goods, wares, merchandize or property whatsoever, by way of public vendue, within the borough of Pittsburg, except as is hereinafter excepted, such person or persons so offending, and being legally convicted thereof, before the court of quarter sessions, of the peace of the proper county,

Powers of said auctioneer.

shall for every such offence forfeit the sum of one hundred dollars to be recovered for the use of the poor of the borough aforesaid : *Provided always*, that nothing herein contained, shall extend or be construed to extend, to hinder any lawful executor or executors, administrator or administrators, to expose to sale by way of public vendue, any houses, lots, lands, tenements, goods or chattels, of their respective testators or intestates, or to hinder any sheriff, coroner, constable or county treasurer, to sell and dispose of, by way of public vendue, any houses, lots, lands, tenements, goods or chattels of any kind whatsoever, taken in execution, and liable to be sold by order of law, or to hinder any sale made in virtue or by force of any distress for rent, or other cause, for which a distress is allowed by any law of this commonwealth.

Proviso.

Shall keep a register, &c.

SECT. III. *And be it further enacted by the authority aforesaid*, That the said auctioneer shall keep a register of all the horses by him exposed to sale, wherein before sale shall be inserted, the colour, size and principal marks, natural and artificial, of every horse, mare or gelding, by him so exposed to sale, the age as the intended vender shall declare it, the name or names of the person offering the same for sale, and after the sale, the name of the person to whom the same is sold, which said register is hereby declared to be so far a public record, as that every person shall be entitled to a view thereof, and a copy if demanded, paying for such inspection, the sum of twenty-five cents, and for such copy fifty cents, which copy shall be read in evidence on any trial respecting the property of such horse, mare or gelding.

Compensation of said auctioneer.

SECT. IV. *And be it further enacted by the authority aforesaid*, That the auctioneer shall have and receive for his expense and trouble of selling, any property at public auction, collecting the money, and paying the same without loss, the following allowance, and no more : *that is to say*, for houses, lands, tenements or real estate, half per centum ; for wine, rum, brandy, sugars, coffee, tea and all other groceries sold by the pipe, hogshead, barrel, bag, chest or box or smaller quantities, one and a fourth per centum ; and all other goods, wares and merchandize not before enumerated, two per centum ; for the sale of any horse, mare or gelding not more than one dollar exclusive of the pay of a crier : *provided*, that any person or persons, may contract and agree with the said auctioneer, to pay him for his services, in the premises, any less sum which he may be willing to accept.

Proviso.

Additional allowance.

SECT. V. *And be it further enacted by the authority aforesaid*, That the said auctioneer is hereby authorized, empowered and required, to demand and receive, over and above the sum mentioned, in the preceding section, an addition on the gross amount of the sales by him made, in pursuance of this act, for the use of the commonwealth, on the following articles : *to*

wit, on goods, wares and merchandize, wines, rum, brandy, sugars, coffee, tea and all other groceries, one per centum : *Provided*, That all goods, wares, merchandize, liquors and groceries, that is of the growth or manufacture of the United States, the owner or owners thereof, shall be bound to pay only one half per centum, on the gross amount thereof. Provide:

SECT. VI. *And be it further enacted by the authority aforesaid*, That the said auctioneer shall annually in the month of November, exhibit and render (on oath or affirmation, taken before some judge or justice of the peace) to the state treasurer, the amount of all the effects and property, from which the state is entitled to receive a revenue, and by him sold at any time before the rendering the said account, and since his last settlement, and the amount found due on such settlement, shall be immediately paid into the state treasury ; but if said auctioneer shall neglect or refuse to pay into the state treasury, the amount due the commonwealth, within one month after the month of November annually, the commission of said auctioneer shall from thenceforth cease and determine, and another person shall be appointed in his place, and the state treasurer shall moreover immediately proceed against such auctioneer, and his sureties, for the recovery of the sum due from him to the commonwealth, in the same manner as he is authorized to do in other cases, and it is hereby made the duty of the auditor general, to report to the governor any such failure on the part of the said auctioneer. The said auctioneer shall make annual exhibits of his accounts, &c.
Penalty for neglect-

SECT. VII. *And be it further enacted by the authority aforesaid*, That if any auctioneer, appointed as aforesaid, or any person for him, shall purchase on account, or for the use of such auctioneer, at his auction, any goods, wares or merchandize ; and the same be proved on the oath or affirmation of two or more credible witnesses in the court of quarter sessions of Allegheny county, such auctioneer shall forfeit and pay five hundred dollars, one half for the use of the commonwealth, and the other for the use of the borough of Pittsburg, aforesaid. Penalty for purchasing any goods at sales.

JOHN ST. CLAIR, *Speaker*
of the House of Representatives.

P. C. LANE, *Speaker of the Senate.*

APPROVED—the twenty-eighth day of March, one thousand eight hundred and fourteen.

SIMON SNYDER.

CHAPTER CLXXIX.

An ACT relating to certain lands in Claverack township, late in the county of Luzerne, now in the county of Bradford.

SECT. I. *Be it enacted by the senate and house of representatives of the commonwealth of Pennsylvania, in general assem-*