

THE STATE OF MARYLAND, TO WIT:

I, Ninian Pinkney, clerk of the executive council of the state of Maryland, do hereby certify that Thomas Harris, Esquire, whose name is signed to the foregoing certificate, was at the time of signing the same, and now is, clerk of the court of appeals for the Western Shore of the state of Maryland, duly appointed and authorised, and that to all acts by him done in that capacity, full faith and credit are and ought to be given as well in courts of justice as thereout.

In testimony whereof I have hereunto set my hand at the city of Annapolis, this twenty-first day of March in the year of our Lord one thousand eight hundred and twenty.

NINIAN PINKNEY, *Clerk*  
of the Council.

JOHN GILMORE, *Speaker*  
of the House of Representatives.

PHILIP S. MARKLEY,  
*Speaker of the Senate.*

APPROVED—April the second, one thousand eight hundred and twenty-one.

JOSEPH HIESTER.

CHAPTER CXLVIII.

AN ACT

Laying a duty on the retailers of foreign merchandize.

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 every person who shall deal in the selling of any goods, wares or merchandizes, wines or distilled liquors, except such as are the growth, produce or manufacture of the United States, and except such as are sold by the importer thereof in the original cask, case, box or package wherein the same shall have been imported, excepting also sales made by auctioneers appointed by law, and by licensed tavern keepers, shall on or before the first day of September, one thousand eight hundred and twenty-one, take out from the treasurer of the proper city or county a license for vending such foreign merchandize or liquors, which license shall be in the following form, to wit.

Every retailer of foreign merchandize to take out a license.

county, ss.  
 has paid to me for the use of the com-  
 monwealth dollars, which entitles him to re-  
 tail foreign merchandize and liquors within the county of  
 for one year from the first day of September,  
 one thousand eight hundred and

Form of the  
 license,

treasurer of county:  
*Provided always nevertheless,* That nothing herein contained  
 shall be construed to extend to physicians, apothecaries, sur-  
 geons or chemists, as to any wines or spirituous liquors  
 which they may use in the preparation or making up of me-  
 dicines for sick, lame or disordered persons.

Proviso.

SECT. 2. *And be it further enacted by the authority afore-*  
*said,* That the following duties shall be paid on the licenses  
 aforesaid, viz. On retailers of merchandize including wines  
 and spirits, fifteen dollars; on retailers of merchandize  
 other than wines and spirits, ten dollars; on retailers of wines  
 and spirits only, ten dollars. And if any person or persons  
 shall after the said first day of September, in the year one thou-  
 sand eight hundred and twenty-one, or in any year thereafter,  
 deal by retail in any foreign merchandize as above described  
 and defined, without first having obtained a license as afore-  
 said continuing in force, such person or persons shall be liable  
 to prosecution by indictment as for a misdemeanor, in any  
 court of competent jurisdiction, and upon conviction thereof  
 shall be sentenced to pay a fine not exceeding fifty dollars  
 together with costs: *Provided,* That no feme sole trader  
 in this commonwealth who shall vend foreign merchandize,  
 and whose actual capital invested shall not exceed five hun-  
 dred dollars, shall be required to take out a license under the  
 provisions of this act.

Annual du-  
 ties to be  
 paid on the  
 licenscs.

Penalty for  
 dealing with  
 out license.

Proviso.

SECT. 3. *And be it further enacted by the authority afore-*  
*said,* That it shall be the duty of the constable or constables  
 of each township or ward, of the counties and cities of this  
 commonwealth, as the case may be, twice in every year, viz.  
 In the months of April and October, to make under oath or  
 affirmation a list of all the retail dealers as aforesaid descri-  
 bed and defined, dealing within their respective districts as  
 far as they can ascertain the same, and deliver the said list  
 to the clerk of the court of quarter sessions, or to the clerk  
 of the mayor's court of the proper county or city, as the case  
 may be, to be filed of record by such clerk, and it shall be  
 the duty of the proper city or county treasurer, to furnish to  
 the attorney for the commonwealth at any time when requi-  
 red, a correct list of all those who have paid the duty and  
 obtained a license as aforesaid, and it shall be the duty of  
 such attorney to require such list at least twice in each year,  
 and having compared the same with the lists filed as afore-  
 said of record, to prepare and prosecute indictments against  
 all who appear not to have obtained a license as herein be-  
 fore directed: *Provided always nevertheless,* That such attor-

Constable to  
 make out a  
 list of re-  
 tailers,

And deliver  
 it to the  
 clerk of the  
 court.

ney may at any time enter a nolle prosequi upon payment of such duty and the costs that shall have accrued.

Compensation of the city & county treasurers.

And of the constable.

SECT. 4. *And be it further enacted by the authority aforesaid,* That the respective city and county treasurers, shall be entitled to demand and receive from each person to whom they shall deliver a license or receipt for payment of said duty in manner aforesaid, the additional sum of twenty-five cents as a compensation for such services, in making out, registering and delivering such license, and each constable shall be entitled to receive twelve and an half cents for each name returned in his list, to be paid by the proper city or county treasurer out of the funds created by this act.

City & county treasurers to settle their accounts annually, &c.

SECT. 5. *And be it further enacted by the authority aforesaid,* That the said city and county treasurers respectively, once in every year, to wit. on or before the last day of December, shall settle their accounts with the State Treasurer, and pay over all monies received by them from retail dealers in foreign merchandize in pursuance of this act, deducting therefrom a commission similar to what is now allowed for the payment of monies arising from tavern licenses, and if such treasurers shall neglect or refuse to settle and pay over the full amount to the State Treasurer at the times herein before directed, the Auditor General shall direct the proper attorney for the commonwealth to sue for and recover the same, without any stay of execution and without allowing to such treasurers any compensation or commission.

City & county treasurers to give bonds with security

SECT. 6. *And be it further enacted by the authority aforesaid,* That the aforesaid city and county treasurers, previous to entering upon the duties enjoined upon them by this act, shall enter into bonds with sufficient security conditioned for the faithful performance of their trust to the commonwealth, to be approved of by the judges of the court of quarter sessions, in such penalty as shall be deemed sufficient by the courts of quarter sessions in the respective counties, which bonds shall be taken by the recorders of deeds in each county, and shall be forthwith transmitted to the Auditor General.

JOHN GILMORE, *Speaker*  
of the House of Representatives.

PHILIP S. MARKLEY,  
*Speaker of the Senate.*

APPROVED—April the second, one thousand eight hundred and twenty-one.

JOSEPH HIESTER.