

## CHAPTER CLXI.

## A SUPPLEMENT

To the several acts of the general assembly respecting auctions and auctioneers.

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 from and after two months from the passage of this act, it shall be the duty of the Governor to grant to any citizen of full age, who may apply for the same, a commission to use and exercise the business of an auctioneer in all and every place or places within two miles of the state house in the city of Philadelphia: *Provided,* The person so applying shall first file in the office of the Secretary of the Commonwealth, his bond, in the penalty of six thousand dollars, with two or more sufficient sureties, in the form and with the conditions now used in like cases for securing the payment of the monies accruing to the commonwealth, by reason of any tax that now is, or may hereafter be imposed on sales at auction: *And provided also,* that previous to the granting of such commission, the person applying shall first pay, or cause to be paid to the State Treasurer the sum of two thousand dollars for the use of the commonwealth.

When the Governor may grant commissions to auctioneers.

Who shall give bond in \$6000 with sufficient sureties.

And previously pay \$2000 for the use of the commonwealth.

SECT. 2. *And be it further enacted by the authority aforesaid,* That for each and every succeeding year during which the holder of any commission granted as aforesaid shall continue to use and exercise the business of an auctioneer, the said holder shall pay, or cause to be paid in advance, a further sum of two thousand dollars to the treasurer of the commonwealth.

And the further sum of \$2000 annually.

SECT. 3. *And be it further enacted by the authority aforesaid,* That under the provisions of this act commissions shall be granted to persons duly qualified and applying for the same, who shall be expressly, solely, and exclusively authorised to sell horses, cattle, and carriages at public auction, and the persons so commissioned shall keep a book and shall register in the same, the names of the sellers and purchasers of all horses and cattle sold by them, together with the colors, ages, and marks of such horses and cattle, and shall pay to the treasurer of the commonwealth on the granting of said commission, and for each and every year during which such commission shall be held, the sum of one hundred dollars, which sum of one hundred dollars shall be paid at the said time or times, and for the same uses as the sums directed to be paid by the first and second sections of this act, and shall be in lieu thereof.

The appointment of auctioneers to sell horses, &c.

Who are to keep a register and pay on granting the commission, & annually, \$100.

SECT. 4. *And be it further enacted by the authority aforesaid,* That in case any holder of a commission under this act

Penalty for neglecting or refusing to pay the sum or sums required, and to render an account, &c.

shall neglect or refuse to pay the sum or sums of money at the time, and in the manner directed by the second and third sections of this act, or shall neglect or refuse to render to the State Treasurer an account of all the effects and property subject to duty sold by him, and to pay to said treasurer the amount of duties payable on such sale or sales, according to the provisions of the several acts of assembly, in such case made and provided, the said holder of a commission as aforesaid, shall immediately cease to use and exercise the business of an auctioneer, under the penalties hereinafter imposed by the sixth section of this act upon persons unlawfully using or exercising the said business.

Bonds and sureties to be renewed every three years, &c.

SECT. 5. *And be it further enacted by the authority aforesaid,* That at the end of every three years, every person holding the commission of auctioneer, shall renew his bond and sureties, and it shall be in the power, and shall be the duty of the Secretary of the Commonwealth, the Auditor General, and State Treasurer, at all times to judge of the validity of the sureties offered or given, and to accept or reject the same, and whenever it shall in their judgment become requisite for the security of the state, that new sureties should be substituted for, or added to, those given by any auctioneer, and he shall fail on one month's notice to give such other or further security as shall be deemed sufficient, such auctioneer shall cease from all further use or exercise of his business as an auctioneer, under such penalties as are hereinafter provided against persons unlawfully exercising or using the said business.

Penalty on persons exercising the business of an auctioneer not duly qualified.

SECT. 6. *And be it further enacted by the authority aforesaid,* That from and after two months from the passage of this act, it shall be unlawful for any person or persons not duly qualified under the several provisions of this act, to use or exercise the business of an auctioneer in all and every place or places within two miles of the state house in the city of Philadelphia; and if any person or persons other than those so duly qualified, shall be found selling or disposing, by public vendue or out cry, of any lands, tenements, goods, wares, merchandize or property whatsoever, in any place or places within the aforesaid two miles, such person or persons so offending, and being thereof legally convicted, shall for every such offence forfeit and pay the sum of six thousand dollars: *Provided,* That nothing herein contained shall be construed to hinder such persons from exposing to sale any lands, tenements, goods and chattels, by way of public auction, vendue, or otherwise, as are authorised so to do by the fourth section of an act passed on the twenty-third day of September, seventeen hundred and eighty, entitled, "An act to alter and amend an act for the more effectual suppression of public auctions and vendues, and to prohibit male persons capable of bearing arms from being hawkers and pedlars."

Enacted.

SECT. 7. *And be it further enacted by the authority aforesaid,* That the second section of the act, entitled, "An act relating to auctioneers," passed the twentieth day of March, eighteen hundred and eighteen, be and the same is hereby repealed.

SECT. 8. *And be it further enacted by the authority aforesaid,* That all and every act or acts of the general assembly of this commonwealth now in force, respecting any auction or auctions, or auction duties, or person or persons using or exercising the business of auctioneer within two miles of the state house in the city of Philadelphia, and all the rules, regulations, provisions and directions, pains and penalties, contained in the said act or acts, not inconsistent with, nor repealed by, the present act, shall continue in full force and vigor, and be applied as fully and effectually to the auctioneers to be commissioned in virtue of this act, as to those appointed and commissioned by such former act or acts.

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 CLXII.

AN ACT

For the regulation of the militia of this commonwealth.

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 the commonwealth of Pennsylvania shall be divided and organised into military divisions as follows, to wit.

*First division*—city and county of Philadelphia.

*Second division*—counties of Bucks and Montgomery.

*Third division*—counties of Chester and Delaware.

*Fourth division*—county of Lancaster.

*Fifth division*—counties of York and Adams.

*Sixth division*—counties of Dauphin, Lebanon, Berks and Schuylkill.

The state divided into 16 military divisions.