

choose a president, and that so much of any former act to the contrary be and the same is hereby repealed.

JOHN LAPORTE,
Speaker of the House of Representatives

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—The seventh day of April, A. D. one thousand eight hundred and thirty-two.

GEO. WOLF.

No. 140.

AN ACT

Regulating auctions in the city of Lancaster, and other towns in 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 from and after the first day of May next, when any citizen of this state, who shall have resided in the city of Lancaster, for one year, and shall have paid into the treasury of the commonwealth, the sum of five hundred dollars, and filed in the office of the secretary of the commonwealth, his bond in the penal sum of five thousand dollars, conditioned for the faithful performance of the duties of an auctioneer, and for the payment of all duties and taxes which may become due to the state, in consequence of his exercising the trade or occupation of an auctioneer, with two or more sufficient sureties, to be approved of by the judges of the court of Common Pleas, of the county of Lancaster, or any two of them, which approval together with the fact, that the applicant is a citizen and resident of the city of Lancaster, as aforesaid, shall be certified by the said judges on the bond, to be transmitted to the secretary of the commonwealth, the Governor shall thereupon grant to such citizen a commission in legal form, authorizing him to make sales by auction according to law, of all and every kind of merchandize whatsoever, at at any place within the limits of the city of Lancaster, for the term of one year from the date of said commission.

Auctioneers may be commissioned in the city of Lancaster, after 1st May, upon paying \$500 for a license and filing bond.

SECT. 2. *And be it further enacted by the authority aforesaid,* That auctioneers appointed in pursuance of this act, shall receive and pay to the state treasurer for the use of the commonwealth, the same rates of duties on all articles struck off or sold by them that are required to be received, and paid by the auctioneers of the city of Philadelphia, and shall be subject to the same conditions, rules, regulations and restrictions, in all respects as are imposed by law on the auctioneers of the said city of Philadelphia, except so far as the same may be inconsistent with the provisions of this act.

Subject to the same duties, regulations, &c. as auctioneers in city of Philadelphia.

SECT. 3. *And be it further enacted by the authority aforesaid,* That every auctioneer commissioned in pursuance of this act, shall be at liberty to contract with the person consigning to him property for sale, such compensation as may be agreed upon by the contracting parties.

Rel. to the compensation of auctioneers.

SECT. 4. *And be it further enacted by the authority aforesaid,* That from and after the first day of May next, it shall not be lawful for any person except auctioneers commissioned in pursuance of this act, to sell or dispose of by public outcry or vendue, within the limits of the city of Lancaster, any description of property whatever, (except as is hereinafter excepted,) and every person offending against this provision, and being thereof legally convicted, shall for every such offence forfeit and pay the sum of five hundred dollars, to be recovered as debts of like amount are by law recoverable, to the use of the commonwealth: *Provided,* That nothing herein contained shall be so construed as to hinder or prevent the sale of horses, cattle, carriages, second hand household and kitchen furniture, farming utensils and mechanics tools, books, or real estate, or the remains of the stock of deceased merchants, or of those who wish to close their business, or such sales as are authorized by the fourth section of an act, passed the twenty-third day of September, one thousand seven hundred and eighty, entitled "An act to alter and amend an act for the more effectual suppression of auctions and vendues, and to prohibit male persons capable of bearing arms, from being hawkers and pedlers:" *Provided also,*

Penalty on selling without license.

Proviso. Enumeration of property which may be sold by auction without license.

2d proviso. Sales must be by the piece, package, &c.

Provisions of this act extended to Harrisburg, Carlisle, Marietta, Columbia, York, Frystown, Buttstown, West Chester and Chambersburg.

That no auctioneer commissioned under this act, shall sell by auction any goods, wares or merchandize, except in the cases above specified, by less quantity than the piece, package, parcel, bale or box, as the case may be, under the penalty herein mentioned.

SECT. 5. *And be it further enacted by the authority aforesaid,* That sales at auction shall be regulated in the boroughs of Harrisburg, Carlisle, Marietta, Columbia and York, Frystown, and Buttstown, and Westchester, and the borough of Chambersburg, in the same manner as is provided for in the preceding sections of this act, for the city of Lancaster, the auctioneers to be appointed in the same manner, pay the

same duties, give the same security, and be liable to the same regulations and penalties.

JOHN LAPORTE,
Speaker of the House of Representatives.

WM. G. HAWKINS,
Speaker of the Senate.

APPROVED—The seventh day of April, A. D. one thousand eight hundred and thirty-two.

GEO. WOLF.

No. 141.

AN ACT

Authorizing the laying out a state road from the Allegheny river, at or near Cunningham's ferry, opposite the borough of Kittanning, in Armstrong county, to intersect the Pittsburg and Butler turnpike, at or near the Pine creek Nail factory.

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 Robert Highlans of Allegheny county, Abraham Brinker of Butler county, and John Reed of Armstrong county, are hereby appointed commissioners to lay out by courses and distances a state road, beginning at or near Cunningham's ferry, opposite the borough of Kittanning, in Armstrong county; from thence to the Butler county line, on the west side of Big Buffalo creek, near Nicholas Brecker's; from thence to the Allegheny county line, south of the crossing on Big Bull creek, near M'Neal's mill, and from thence to intersect the Pittsburg and Butler turnpike, at or near the Pine creek nail factory.

Commissioners appointed to lay out road.

Points stated.

SECT. 2. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the said commissioners, or a majority of them, after taking an oath or affirmation before a justice of the peace to perform the duties enjoined upon them by this act with impartiality and fidelity, carefully to view the ground over which the said road may pass, and lay the same as near to a straight line between the aforesaid points as the nature of the ground and other important circumstances will permit, and in such manner that the vertical departure from a horizontal line shall at no point

Commissioners oaths.

Location as near to straight and horizontal lines as possible.