

the twenty-first day of March, one thousand eight hundred and fourteen, and the act entitled "An act to re-charter certain banks," approved the twenty-fifth day of March, one thousand eight hundred and twenty-four, be, and the same are hereby extended for and during the term of fifteen years, from the first Wednesday in May, one thousand eight hundred and thirty-seven, so far as the provisions of said acts relate to the York bank, except so far as the same may hereby be altered, amended or revoked. Charter extended for 15 years from May, 1837.

SECTION 2. The privileges hereby granted to the said bank, shall be subject to such alterations, provisions and restrictions, as the legislature may at any time hereafter think proper to enact for the better regulation of the banking institutions of this Commonwealth, and shall be liable to such taxes, whether on dividends or otherwise, as the legislature may at any time hereafter impose. Subject to alterations, taxation, &c.

SECTION 3. Whenever the profits of the bank re-chartered by this act, shall be such, that the clear annual dividend shall exceed the sum of twelve per cent. per annum on the amount of the capital actually paid in, then one-half of such surplus shall be paid into the State Treasury, for the general purposes of education. Half of the profits over 12 per cent. per ann. to be paid to the educat'n fund

WM. PATTERSON,
Speaker of the House of Representatives.

THO'S. RINGLAND,
Speaker of the Senate.

APPROVED—The eleventh day of March, one thousand eight hundred and thirty-four.

GEO: WOLF.

No. 69.

AN ACT

Relating to Inns, Taverns, and retailers of vinous and spirituous liquors.

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2. Such licenses may be granted in Philadelphia at any term of the courts, but in other counties only at the first or second time of the court in the year. Exception.
3. No inn or tavern shall be licensed unless necessary to the public.

LAWS OF PENNSYLVANIA,

- SECTION 4. Licenses can be granted only upon a certificate of twelve citizens of the good repute, &c. of the applicant, and the sufficiency of his accommodations, &c.
5. No court shall grant a license, unless they shall be satisfied of the fitness of the applicant, &c.
 6. The commissioners of the counties shall send their precept to the assessors, to return the names of all innkeepers, &c. and of persons desirous to become such, with the valuation of the rental of every inn, tavern, &c.
 7. The assessors shall execute such precept, and make return of it to the commissioners.
 8. The commissioners shall adjust the valuations so made, and compute the price of each license thereon, and deliver it to the clerk of the proper court.
 9. Every person intending to apply for a license, shall designate to the assessors the property he intends to occupy as a tavern.
 10. The price of a license.
 11. Shall be fixed by the judges if no valuation of the rental has been made.
 12. The said courts may grant licenses to sell spirituous or vinous liquors, to persons who may combine with it any other business.
 13. May not grant such licenses to the owners or managers of a theatre or circus.
 14. The clerks of the courts shall make out and deliver all such licenses to the treasurers of the counties, and transmit a list of the names of the persons to whom granted, to the Auditor General.
 15. The treasurers shall deliver the licenses to the persons entitled, on payment of the price, and report to the court the names of the persons who shall neglect to take them.
 16. Treasurers neglecting to make such report, shall forfeit one-half of their commissions on tavern money.
 17. Innkeepers shall keep good entertainment for man and horse, under penalty, &c.
 18. Innkeepers, &c. inciting games, &c. at which money shall be staked, or furnishing strong drink to the persons attending on games, &c. punishable by fine.
 19. Innkeepers allowing any kind of gaming for money, &c. within their premises, punishable by fine.

- SECTION 20.** Innkeepers or other retailers, &c. offending as aforesaid, shall also forfeit their license and be incapable of being licensed for one year, and on conviction of a second offence, shall be forever incapable of being licensed.
- 21.** No innkeeper, &c. shall harbor a minor apprentice or servant, after being warned not to do so, under penalty, &c.
- 22.** No innkeeper, &c. shall give credit to any person for liquors.
- 23.** Suits by innkeepers for tavern reckonings, or for debts contracted by minors, apprentices or servants as aforesaid, shall abate, &c.
- 24.** No person shall keep tavern without license under penalty.
- 25.** Persons selling less than one quart of spirituous or vinous liquors, &c. without license, indictable.
- 26.** Courts receiving information of such delinquents, shall cause indictments to be preferred, &c.
- 27.** The courts may revoke the licenses of innkeepers convicted of any offence, &c. and of those who shall suffer drunkenness or disorderly conduct, &c.

AN ACT

Relating to Inns, Taverns, and retailers of vinous and spirituous liquors.

SECTION 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,* The several Courts of Quarter Sessions and Mayors' Courts in this Commonwealth, shall have power to grant licenses, under their respective seals, for taverns or inns, to be kept by the persons applying for the same, within their respective jurisdictions, and such licenses may be granted according to the regulations and restrictions contained in this act, and not otherwise.

SECTION 2. In the city and county of Philadelphia licenses as aforesaid may be granted at any term of the said courts, but in every other county such licenses shall be granted only at the first and second term of the court, in any year, except in the case of a house previously licensed for the purpose aforesaid, the occupant whereof shall die, remove, or cease to keep an inn or tavern, in which event the court may grant a license for the

May be granted at any term in Philadelphia, and the two first terms in the year in other counties. Exception.

remainder of the year, to his successor, at any term of the court.

Restriction. SECTION 3. No court shall license any inn or tavern which shall not be necessary to accommodate the public and entertain strangers or travellers.

Recom'd'tion necessary. SECTION 4. No court shall grant a license to any person to keep an inn or tavern, except upon a certificate in writing, signed by at least twelve reputable citizens of the ward, borough or township, in which such inn or tavern is proposed to be kept, setting forth that such inn or tavern is necessary to accommodate the public and entertain strangers or travellers, and that such person is of good repute for honesty and temperance, and is well provided with house room, and conveniences for the accommodation of strangers and travellers.

Court to be satisfied of the fitness of the person, &c. SECTION 5. No court shall license any person to keep an inn or tavern, unless from the petition and certificate, or from their own knowledge, or upon evidence sought for and obtained, they shall be satisfied of the fitness of the person applying, and of the sufficiency of the accommodations as aforesaid.

Commis. to issue precepts to assessors triennially to make valuation, &c. of the inns, &c. SECTION 6. It shall be the duty of the commissioners of every county in this Commonwealth, previously to every triennial assessment, to send to the assessor of every ward, township and district, within the county, their precept, requiring him to make out a just and perfect return, in such form as the commissioners shall direct, of the names of all innkeepers and tavern keepers, within the respective ward, township and district, and of such other persons as may be desirous of keeping inns or taverns therein, and also to make a just valuation of the yearly rental of every inn and tavern therein, and of every house in which any person may be desirous as aforesaid, of keeping an inn or tavern.

Duty of Assessors. SECTION 7. The assessors of the several counties shall, on the receipt of the precepts aforesaid, proceed to take an account in the form directed by the commissioners, of the names and surnames of all innkeepers and tavern keepers within their respective wards, townships and districts, and of all persons who may be desirous of keeping inns or taverns therein, and who shall request to be so returned; and when such enumeration shall be completed, the several assessors shall convene their assistant assessors, and with them shall proceed to make the valuation herein before directed, having a due regard to the business done, or that may be done, in the inn or tavern, or house proposed to be kept as an inn or tavern as aforesaid, and when such valuation shall be completed, the said assessors shall make return thereof to the commissioners of the proper county, at the time that they make return of their several assessments.

Right of appeal and duty of commiss. SECTION 8. The commissioners aforesaid shall direct notice to be given of the valuation, and appeals to be held in the same manner, and at the same time and place, as appeals are held in relation to county rates and levies, after which they shall exam-

ine, equalize and adjust the valuation returned to them as aforesaid, in such manner as shall be reasonable and just, and immediately thereafter they shall deliver the valuation so adjusted by them, together with a computation of the price of the license in every case therein contained, to the clerk of the Mayor's Court of the respective city, or to the clerk of the Court of Quarter Sessions of the respective county, as the case may be, to be filed in his office.

SECTION 9. Every person intending to apply for a license to keep an inn or tavern, shall, at the annual assessment, designate to the assessors the house and property which he may intend to occupy for that purpose, and desire them to make a valuation of the yearly rental thereof, and return his name and application to the commissioners, to be by them returned to the several clerks of the Court of Quarter Sessions and Mayor's Court of the respective city and county.

Applicants
for license to
give notice to
assessors.

SECTION 10. The price of a license to keep an inn or tavern shall be as follows, to wit: ten dollars for one year in all cases where the adjusted valuation of the yearly rental of the house and the property occupied, or to be occupied for that purpose, shall not exceed one hundred dollars; in all other cases, the said sum of ten dollars, and the additional sum of four per cent. on the rental above one hundred dollars.

Rates of
licenses.

SECTION 11. Whenever a license shall be granted to keep an inn or tavern at a place not occupied before for that purpose, and of which no valuation of the rental may have been made according to law, it shall be lawful for the court granting such license, to fix the price of the same until the next assessment.

Courts to fix
the rates in
certain cases.

SECTION 12. *Provided*, That nothing in this act shall prevent the said courts from granting licenses as aforesaid, to persons who may combine any other business with that of selling liquors, if, in the discretion of the said court, the same may be necessary, such persons being subject, in all respects, to the provisions of this act.

May grant
tav. licenses
to persons
engaged in
other busi-
ness.

SECTION 13. The courts aforesaid shall not have power to grant licenses to the owners or managers of any theatre or circus, to sell within the same any vinous or spirituous liquors as aforesaid, nor shall any house be licensed as a tavern which has a passage communicating with a theatre.

Not to grant
licenses to
theatres, &c.

SECTION 14. The clerks of the several courts aforesaid shall, immediately after each term, make out and deliver the said licenses to the treasurers of their respective counties, for which they shall take receipts; and within ten days thereafter, they shall transmit under seal to the Auditor General, a list of the names of all persons to whom licenses may have been granted at such preceding term.

Duty of the
Clerks of the
courts.

SECTION 15. The county treasurers receiving such licenses shall deliver them to the persons to whom they may have been granted, on their application and payment therefor, and make report to the court of the names of the persons who may have

Duty of Co.
Treasurer.

neglected to take out their licenses at each successive term thereof.

Penalty on
his neglect,
&c.

SECTION 16. Every county treasurer who shall neglect to make report of those who do not pay for and take out their licenses, within the time herein mentioned, shall forfeit one half of his commissions on license money, in the settlement of his accounts with the accountant officers.

Duty of inn-
keepers.

SECTION 17. Every innkeeper shall keep good entertainment for man and horse, under penalty of five dollars for every case of neglect.

Subject to
penalties for
encouraging
gaming, &c.

SECTION 18. If any innkeeper, tavern keeper, or other retailer of wine, spirituous or other strong drink, shall incite, promote or encourage any games of address, hazard, cock-fighting, bullet playing, or horse racing, at which any money or other valuable thing shall be betted, staked, striven for, won or lost, or shall furnish any wine, spirituous liquors, beer, cider, or other strong drink, to any of the persons assembled or attending upon any such game, fight, play or race, such person shall forfeit and pay upon conviction of the first offence fourteen dollars, and upon a second conviction of the offence twenty-eight dollars.

Same for
allowing
gaming, &c.
on their
premises.

SECTION 19. And if any such person shall permit and allow any kind of game of address or hazard, or any playing, betting, or gaming for money or other thing of value whatsoever, either at cards, dice, billiards, bowls, shuffle-boards, or any game or device in any other manner to be practised, played or carried on within his or her dwelling-house, out-house, shed, or other place, in his or her occupancy, such person shall, for the first and second offence respectively, forfeit and pay the like sums.

To forfeit
their licenses.

SECTION 20. And if any innkeeper or tavern keeper, or other licensed retailer of wine or other liquors, shall offend as aforesaid, the license of such person shall, upon his conviction thereof, become void, and such offender shall be incapable of being again licensed in like manner for one year thereafter; and upon such second conviction, such person shall, in addition to the penalty aforesaid, be forever incapable of being a public house keeper or retailer as aforesaid, within this Commonwealth.

Not to trust
or harbour
minor ap-
prentices, &c.

SECTION 21. No innkeeper or tavern keeper shall receive, harbor, entertain or trust any person under the age of twenty-one years, or any apprentice or servant, knowing him to be such, or after being warned to the contrary by the parent, guardian, master or mistress of such minor, apprentice or servant, under penalty, for the first or second offence, of three dollars, over and above the forfeiture of any debt contracted by such minor, apprentice or servant, for liquors or entertainment; and for the third offence, under penalty of fifteen dollars, and the forfeiture of his license, and of being forever incapable of receiving a license to keep a public inn within this Commonwealth.

Penalty and
forfeiture.

SECTION 22. No innkeeper or tavern keeper shall trust or give credit to any person whatsoever, for liquors, under penalty of losing and forfeiting such debt. Not to give credit.
Penalty.

SECTION 23. Every suit brought by an innkeeper or tavern keeper, for tavern reckonings as aforesaid, or for a debt contracted by a minor, apprentice or servant, after a warning to the contrary as aforesaid, shall abate, or the defendant may plead such fact in bar thereof, and the plaintiff therein shall pay double costs. Suits for such debts to abate, &c.

SECTION 24. No person shall keep a tavern without a license previously obtained as aforesaid, nor after the expiration or revocation of such license, under penalty, not less than ten dollars, nor more than one hundred dollars, at the discretion of the Court of Quarter Sessions or Mayor's Court having jurisdiction, for every month during which he shall keep the same. Penalty for keeping a tavern without license.

SECTION 25. If any person shall sell less than one quart of spirituous or vinous liquors, to be delivered at one time, to one or more persons, without having first obtained a license, agreeably to law, for that purpose, such person shall be liable to indictment, and, on conviction thereof, shall forfeit and pay for every such offence a sum not exceeding one hundred dollars. Penalty for selling liquors without license

SECTION 26. The said courts shall, upon receiving information of any such delinquent, forthwith cause an indictment to be preferred against him before the grand jury for the cause aforesaid. Indictments.

SECTION 27. If any innkeeper or tavern keeper shall be convicted of any offence not mentioned in this act, or shall knowingly suffer drunkenness, riot, or other disorderly conduct in his house, or shall disobey any of the provisions of this act, it shall be lawful for the court which granted the license, in their discretion, to revoke the same, and such revocation shall be entered on record, and the license shall thereupon cease and determine. Power of the courts to revoke licenses.

WM. PATTERSON,
Speaker of the House of Representatives.

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Speaker of the Senate.

APPROVED—The eleventh day of March, one thousand eight hundred and thirty-four.

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