

# A C T S

OF THE

## General Assembly of Pennsylvania.

Passed at a Session, which commenced October 14th, 1729,  
and ended August 15th, 1730.

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PATRICK GORDON, LIEUTENANT-GOVERNOR.

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1729-30.

### CHAPTER CCCVIII.

*An ACT for regulating pedlars, vendues, &c. (g).*

VII. *PROVIDED* always, and it is hereby further enacted, Judicial officers, executors, &c. may sell by public auction. That nothing herein contained shall extend, or be construed to extend, to hinder any Sheriff, Constable, or other officer, to sell and dispose of, by way of vendue, any goods, wares or merchandizes, taken in execution, and liable to be sold by order of law; or to hinder any person or persons from selling or exposing to sale, by public vendue, or otherwise any goods or chattels of any kind whatsoever, taken and distrained for rent being in arrear; or to prohibit any lawful executor or executors, administrator or administrators, to expose to sale, by way of public auction, vendue or otherwise, any goods or chattels, which were of their respective testator or intestates; but that all and every such person or persons may do there-

(g) By chap. 478, post. the regulations that were contained in the 5th section of the act in the text, respecting lotteries, are repealed and supplied. By chap. 693, so much of the act in the text as related to the prohibiting the sale of books within the city of Philadelphia, was repealed. By chap. 732, it is declared, that all pedlars, hawkers and petty chapmen shall be included in that act, which directs, among other things, the mode of obtaining tavern and other licences. By chap. 859, persons capable of bearing arms were prohibited, under a penalty, from being hawkers and pedlars, during the late

war; and so much of the act in the text, as relates to public vendues, was repealed and supplied. By an act of the 30th of March, 1784, (chap. 1079,) the same provision is made, as far as it relates to pedlars, hawkers, and petty chapmen. See also the last law on the subject, (chap. 2027.)

The regulations respecting lotteries, vendues and pedlars, being all that were contained in the act, the whole has thus, at several periods, been repealed and supplied, except the 7th section, which, though merely declaratory of the previous law, is here inserted. (*Note to former edition.*)

1729-30. in as they might have done before the making of this act, any thing herein contained to the contrary notwithstanding.

Passed 14th February, 1729-30.—Recorded A. vol. II. page 382.

## CHAPTER CCCXI.

*A SUPPLEMENT to the act, entitled An Act for preventing clandestine marriages. (h)*

**WHEREAS** the good intention of an act of Assembly of this province, entitled *An Act for preventing clandestine marriages*, hath been very much eluded, by reason that no proper penalty is by the said law imposed upon the Justice of Peace, or other persons, marrying or joining in marriage any persons contrary to the intent and meaning of the said act: For the remedying whereof, *Be it enacted*, That no Justice of the Peace shall subscribe his name to the publication of any marriage within this province, intended to be had between any persons whatsoever, unless one of the persons, at least, live in the county where such Justice dwells, and unless such Justice shall likewise have first produced to him a certificate of the consent of the parent or parents, guardian or guardians, master or mistress of the persons, whose names or banns are to be so published, if either of the parties be under the age of twenty-one years, or under the tuition of their parents, or be indentured servants, if such parent, guardian, master or mistress live within this province, or can be consulted with; and also that no person or persons, of what character or degree soever he be, presume to publish the banns of matrimony, or intentions of marriage, between any person or persons, in any church, chapel, or other place of worship, within this province, unless one of the parties at least live in the town, county or city, where such publication shall be made, and unless the person or persons making or causing to be made such publication, shall have received such certificate of the consent of the parent, guardian, master or mistress, as is herein before directed, if the parties who ought to grant such certificate live within this province.

No marriage of non-residents, minors or servants, to be published without certificates, &c.

Penalty on Justices, clergymen, &c. acting contrary to the directions of this act.

**II.** And if any Justice of the Peace, clergyman, minister, or other person, shall take upon him or them to join in marriage any person or persons, or if any Justice of the Peace shall be present at and subscribe his name as a witness to any marriage within this province, without such publication being first made as aforesaid, such Justice of Peace, clergyman, minister, or other person, taking upon him to sign, make, or cause to be made, any publication contrary to the directions of this act, or shall marry or join in marriage any person or persons not published, as in the aforesaid act of assembly, and by this act, is directed, every Justice of Peace, clergyman, minister, or other person, so offending, shall, for every such offence, forfeit the sum of fifty pounds, to be recovered in any Court of Record within this province, by bill, plaint or informa-

(h) For the original act, see ante. chap. 109; and the note there subjoined, page 21, 22.