

1789. hill Market, and there hath been chosen a Clerk of the Market, to make assay of weights and measures, and to do and perform all things belonging to the office of a Clerk of the market, within the said township, and other officers tending to the good order thereof: And whereas the practice made use of in the said township by butchers and others, hawking, from door to door, meat, poultry, and other kinds of food for man, usually sold in the city of Philadelphia in open market, has, in great measure, defeated the good and salutary purpose for which the said market-houses were erected, and thereby those victuallers and others, who have hired stalls in and attended the said market-place, have become great sufferers: For remedy whereof,

SECT. II. *Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same,* That, from and after the publication of this act, if any victualler or butcher, or other person, shall hawk from door to door, or by any means sell, or offer to sale, within the said township, any beef, veal, mutton, lamb, goat, kid, pork, cheese, butter, poultry, eggs, or other food for man, usually sold in the city of Philadelphia in open market, at any place or places other than in the said Callow-hill Market (vegetables only excepted) he or they shall forfeit double the value thereof, one-half of the said forfeiture to the use of the said market, to be paid to the Superintendants thereof, for the time being, and the other half thereof to the person or persons who shall prosecute within one month after the offence shall be committed.

Penalty on hawking meat, &c. in any other place than Callow-hill Market.

But this act not to prevent persons selling provisions in their own houses, &c.

*Provided always,* That nothing herein contained shall extend to any person selling within his or her own dwelling-house, or to any person, not a victualler or butcher, bringing any provisions aforesaid, from any distance greater than five miles from the said township; or to the selling, or offering to sale, while alive, any cattle, calves, sheep, lambs, goats, kids, or hogs; nor to any such sale made at a greater distance than two miles northward of the north side of Vine-street, in the city of Philadelphia.

Passed 18th March, 1789.—Recorded in Law Book No. III. page 480.

## CHAPTER MCCCLXXXIX.

*A SUPPLEMENT to the several acts of General Assembly respecting public Auctions and Auctioneers.*

[See vol. 1, page 509, chap. 908, and the notes thereto subjoined.]

SECT. I. WHEREAS certain public auctions are by the laws of this commonwealth permitted and established for the sale of estates, real and personal, within the city of Philadelphia, the township of the Northern-Liberties, and the district of Southwark, under certain rules and regulations; and all other persons, than the Auctioneers duly appointed and licenced in pursuance of the said laws (except as in and by the said laws are excepted) are prohibited from selling at public auction within the said city, township or district, any estates, real or personal, under the pains and penalties in and by

the said laws mentioned: And whereas it is necessary to amend the said laws in such a manner as to prevent evasions thereof, by unlicensed auctions being opened and held in the suburbs of the said city: 1789.

SECT. II. *Be it therefore enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same,* That it shall and may be lawful for the President or Vice-President in Council to appoint and licence, as often as occasion shall require, one Auctioneer, for the sale of estates, real and personal, within the township of Moyamensing, who shall continue for and during the will and pleasure of the said President and Council, and shall give bond to the President and his successors, with two sufficient sureties, in the sum of two thousand pounds, for the faithful discharge of his duty, and for well and truly performing the terms and payments in and by this act, and the several acts of General Assembly to which this is a supplement, directed and required; and the said Auctioneer, who shall be appointed and licenced in pursuance of this act, shall have the like powers and authorities, within the said township of Moyamensing, and be under the like rules, regulations, provisions and directions, and subject to the like pains and penalties, with any Auctioneer for the city of Philadelphia, the township of the Northern-Liberties, or the district of Southwark.

An auctioneer to be appointed for Moyamensing.

His surety;

powers, and duties.

SECT. III. And whereas, by the operation of the present laws for regulating auctions and vendues, sundry inhabitants, residing within the distance therein prescribed, are subjected to the payment of a tax, from which the other citizens of the state are exempted: For remedy whereof, *Be it enacted by the authority aforesaid,* That, from and after the passing of this act, no duty shall be paid on the sale of any real estate, nor on the sale of any household furniture, or wearing apparel, which has actually been in use, nor on any ship or vessel, the property of any subject or subjects of the United States, or any of them.

Articles exempted from the auction duties.

SECT. IV. And to the end and intent that the provisions herein contained may not prove ineffectual, *It is hereby further enacted by the authority aforesaid,* That all and every act and acts of General Assembly of this commonwealth, respecting any auction or auctions, or Auctioneer, or person or persons using or exercising the business thereof, within the said city of Philadelphia, the township of the Northern-Liberties, or the district of Southwark, and all the rules, regulations, provisions and directions, pains and penalties, in the said acts of General Assembly, or in any of them, contained, shall extend, and they are hereby extended to all and every place and places within two miles of the State-house in the said city of Philadelphia, and to all persons who shall, within the same distance therefrom, offend against, or not govern themselves conformably to, the directions of this act, or of the said acts of General Assembly, to which this is a supplement, or of any of them.

The penalties for selling by auction extended to the distance of two miles from the State-house.

Passed 19th March, 1789.—Recorded in LAW BOOK No. III. page 478.