

That the same proviso shall be repealed, and the same proviso and every part thereof is hereby to all intents and purposes repealed. And the said-recited act and every part thereof (the clause or proviso hereinbefore repealed only excepted) shall remain, continue and be in full force, virtue, efficacy and validity, to all intents, constructions and purposes, as if this act had never been made.

[Section II.] And be it further enacted by the authority aforesaid, That if any person or persons whatsoever shall hereafter sell or barter any quantity of wine, rum, brandy or other spirits, less than one gallon, without the governor's license for that purpose pursuant to the laws of this province first had and obtained, he, she or they so offending shall incur the pains, penalties, fines and forfeitures which persons keeping public houses without license are subject and liable to by the laws of this province, any law or usage of this province to the contrary notwithstanding.

Passed March 30, 1722-23. Apparently never submitted to the consideration of the Crown. See Appendix V, Section I, and the Act of Assembly passed December 12, 1723, Chapter 276, and note thereto.

CHAPTER CCLXIX.

AN ACT FOR THE ENCOURAGEMENT OF TRADE.

Whereas by an act of assembly of this province, made in the eighth year of His Majesty's reign, entitled "An act for laying a duty on wine, rum, brandy, spirits, molasses, cider, hops and flax, imported, landed or brought into this province,"¹ the duty of three pence per gallon is laid on all rum and one penny per gallon on all molasses imported into this province, which duties are thought too burdensome, the present circumstances of trade considered. For remedy whereof:

[Section I.] Be it enacted by Sir William Keith, Baronet, Governor of the Province of Pennsylvania, &c., by and with the

¹ Passed May 12, 1722, Chapter 249.

advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That for every gallon of rum which shall be imported or brought into any port or place within this province from and after the publication of this act, there shall be paid the duty of two pence, and no more, to be levied and paid in manner as by the said act is directed touching the three pence per gallon duty therein mentioned. And that from and after the time aforesaid all molasses, which shall be imported in any ship or vessel built or that hereafter shall be built in this province, shall be duty free, anything herein or in the said-recited act contained to the contrary notwithstanding.

And for the better encouragement of those that shall import or bring gold or silver into this province:

[Section II.] Be it enacted by the authority aforesaid, That fifteen per cent shall be allowed by way of rebate or deduction to all and every person and persons that shall pay the duty and imposts on wine and rum [and molasses], imported as aforesaid, in silver or gold.

Provided always, That before any such rebate or deduction shall be allowed, the party [or] parties requesting the same shall, upon oath or solemn affirmation, declare that all the gold or silver, for which such rebate or deduction is to be made, was really and bona fide brought from the port where such wine and rum and [molasses] were exported, or from some of the islands of Madeira, or the West Indies, in the same bottom or vessel with the wine, rum or molasses imported, for the duty of which such silver or gold is to be paid, as aforesaid.

And the aforesaid allowance or deduction of fifteen per cent shall be in full of all allowances or deductions made for prompt pay, anything in this or in the said-recited act to the contrary in anywise notwithstanding.

[Section III.] And be it further enacted by the authority aforesaid, That the officer or collector of duties in and by the said-recited act appointed shall be the officer and collector of the duties in and by this act imposed, and shall administer the said oath or affirmation to all and every person and persons tendering payment in gold or silver, and requesting the rebate

or deduction aforesaid; and shall, upon such payment in gold or silver, made as aforesaid, allow the rebate or deduction aforesaid, and shall so account for and pay the same silver or gold by him so received in specie, and no more, to the treasurer of this province, on pain of forfeiting the sum of ten pounds, to be recovered by bill, plaint or information in any court of record in this province, and paid to the said treasurer for and towards support of government.

[Section IV.] And be it further enacted by the authority aforesaid, That from and after the publication of this act, all and every person and persons whatsoever (except the inhabitants of this province, and such who shall come into this province with their families and effects, with a design or on purpose to settle here) who shall import into this province any goods, wares, merchandises or servants (salt, pitch, tar, tobacco and the produce of the Lower Counties and West Jersey excepted) shall pay to the officer or collector by this and the said-recited act appointed for collecting the duties before mentioned, the duty of three per cent on the sales of all and every the goods, wares, merchandises and servants (salt, pitch, tar, tobacco and the produce of the Lower Counties and West Jersey excepted) by them imported and sold in this province.

And for the better securing of the duties so to be paid by the persons trading into this province, not being inhabitants thereof, as aforesaid:

[Section V.] Be it enacted by the authority aforesaid, That all and every person and persons trading or that shall trade into this province, not being inhabitants, as aforesaid, upon his or their importing any goods, wares, merchandises or servants (salt, pitch, tar, tobacco and the produce of the lower Counties and West Jersey excepted) into any port of this province, before the same are unloaded or landed, shall by themselves, factors or agents, repair to the collector or officer aforesaid and deliver to him upon oath or affirmation (which the said officer is hereby empowered to administer) a true invoice or manifest of all the goods, wares, merchandises or servants (salt, pitch, tar, tobacco and the produce of the Lower Counties and West Jersey excepted) by

them imported as aforesaid; and shall give security for or pay the duty thereon imposed, as aforesaid, within the time limited by the said-recited act, under the like pains, penalties, forfeitures, seizures and restrictions, as the persons, goods, wares and merchandises, in the said-recited act mentioned, are subject and liable to, in cases of non-compliance with the said act, or any part thereof.

And for the enabling the said officer or collector to discharge his duty in the premises, it is hereby declared that it shall and may be lawful to and for the said officer or collector and he is hereby fully authorized and empowered to use, prosecute and take all and every the ways, methods and means prescribed and directed by the said act, for securing, levying, recovering, collecting and receiving the duties therein mentioned, fully and effectually to all intents, constructions and purposes whatsoever, for the securing, levying, recovering, collecting and receiving all and every the duties imposed by this act.

And the said collector shall have and receive of the said merchants, factors or agents, who are hereby enjoined to give security to account and pay the duty as aforesaid, all such allowance for bonds as in the said-recited act is directed, and be allowed ten per cent out of the moneys so collected, as aforesaid, upon his payment of the same to the provincial treasurer.

Provided always, That no person or persons shall be reputed inhabitants of this province, within the intent and meaning of this act, except such as have been residents in the said province for the space of two years, with his or their families, and have at least fifty acres of land in fee, twelve whereof improved, or a dwelling house worth fifty pounds in the said province.

Provided also, That no person or persons whatsoever, who shall ship off any goods or merchandises, of the growth, product or manufacture of this province, in return for the net proceeds of the goods, wares and merchandises by him or them imported, as aforesaid, or shall build any ship or vessel in this province to the value of such proceeds (or have a rebate in proportion to the country produce exported), shall be obliged to pay the duty hereby imposed on traders not being inhabitants of this province as aforesaid, anything hereinbefore contained to the contrary notwithstanding.

Provided also, That nothing in this act contained shall be deemed, construed or taken to repeal, alter or make void the said-recited act, or any part thereof (except what is herein and hereby expressly altered or made void), but that the same act and every part thereof (except as before excepted) shall be and remain in full force as if this act had never been made. And that this act shall continue and be in full force till the expiration of the said-recited act and no longer.

Passed March 30, 1722-23. Apparently never submitted to the consideration of the Crown. See Appendix V, Section I, and the Act of Assembly passed December 12, 1723, Chapter 276.

CHAPTER CCLXX.

AN ACT FOR REGULATING AND ESTABLISHING FEES.

For preventing of extortion and undue exactions of fees by the several officers and practitioners of law in this province; and to the end that all fees may be limited and reduced to certainty:

[Section I.] Be it enacted by Sir William Keith, Baronet, Governor of the Province of Pennsylvania, &c., by and with the advice and consent of the freemen of the said Province in General Assembly met, and by the authority of the same, That the fees of the several officers and practitioners of law in this province shall be as hereinafter is ascertained, limited and appointed, viz.:

That the fees belonging to the Keeper of the Great Seal of this province shall be as follows, viz.:

For affixing the seal to the lieutenant-governor's commission, to be paid by the public, fifteen shillings.

For affixing the seal to the keeper of the great seal's commission, to be paid by the party, twelve shillings.

For affixing the seal to any body of laws passed in any session of assembly, to be paid by the public, twelve shillings.

For affixing the seal to any copy of such body of laws sent home for the royal assent, to be paid by the public, twelve shillings.