

No. 89.

AN ACT

For regulating hawkers and pedlars.

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 hereafter the courts of quarter sessions of the respective counties in this commonwealth, or two judges of said courts in vacation, be and they are hereby authorised to issue a license to any applicant who shall bring himself within the provisions of the act passed the thirtieth day of March, one thousand seven hundred and eighty-four, entitled "An act for regulating of hawkers and pedlars," and the supplement thereto, passed the twenty-eighth day of March, one thousand seven hundred and ninety-nine, and who shall give bond to the commonwealth of Pennsylvania, with sureties, to be approved of by the court, in the sum of three hundred dollars, conditioned that such applicant shall be of good behaviour during the continuance of such license, which shall be for one year, and the said applicant shall satisfy the court that he is a man of honesty and good moral character, and otherwise bring himself within the provisions of said acts: *Provided.* That before any such license shall issue to any such applicant, he shall pay for the use of this commonwealth, for a license to travel on foot eight dollars; with one horse and cart or wagon or other vehicle, sixteen dollars; with two horses and wagon or other vehicle, twenty-five dollars, and produce a receipt from the county treasurer, together with the usual fees to the clerk for similar services; and the clerks of said courts respectively shall within ten days after each term, transmit to the Auditor General a list of the names of persons to whom licenses have been granted at the preceding term, and the rates thereof: *Provided.* That no person licensed for the purpose aforesaid, shall be permitted to sell, vend or expose for sale any foreign or domestic goods, wares or merchandize, in any private or public house, or in any part of the open streets, lanes or alleys, or in any other part or place of the city of Philadelphia, the district of Southwark, or the townships of the Northern Liberties, Moyamensing and Passyunk, under the penalty of fifty dollars, to be recovered by any person who shall sue for the same, as debts of like amount are by law recoverable: *And provided further,* That it shall be the duty of the Auditor General to publish once a year the names of all persons who shall take

Courts of qr. sess. hereafter to issue licenses.

Bond, &c. of applicant.

Proviso.
\$8 for a license on foot
\$16 with one horse, and
\$25 with two.

Fees.

Clerks to transmit list to Auditor General.

2d proviso.

Where persons licensed may not sell.

3d proviso.
Auditor Gen. to publish annual list.

out a license as aforesaid, in at least three papers within this commonwealth, for three successive weeks.

Penalty on
selling by
auction.

SECT. 2. *And be it further enacted by the authority aforesaid,* That no person or persons, either with or without license, shall sell or expose to sale any foreign or domestic goods, wares or merchandize, as a hawker or pedlar or travelling merchant, by public auction or outcry, in any part of this commonwealth, under the penalty of fifty dollars for each and every offence; and all forfeitures that may accrue under this act, or the acts to which this is a further supplement, may be sued for and recovered by action of debt, before any alderman or justice of the peace, as debts of like amount are by law recoverable, by any person who may sue for the same, one half to the informer and the other half to the use of the county in which the offence may have been committed; and so much of the acts to which this is a further supplement as is by this act altered or supplied, be and the same is hereby repealed: *Provided nevertheless,* That nothing contained in this act shall prohibit the citizens of this commonwealth, who may manufacture goods, wares or merchandize within this commonwealth, from vending or exposing the same to sale in the same manner as if said act had not been passed into a law.

How recover-
ed.

Proviso.

Manufactu-
rers except-
ed.

Duties, &c.
of county
treasurers.

SECT. 3. *And be it further enacted by the authority aforesaid,* That it shall be the duty of the county treasurers respectively, on or before the second Tuesday in December in each and every year, to render an account under oath or affirmation to the Auditor General, of all monies received by them for licenses, specifying the names of the persons and the amount received from each, and pay over to the State Treasurer all monies received by them, deducting therefrom a commission of five per cent. and if any county treasurer shall neglect or refuse to render his account to the Auditor General for settlement, and pay over the full amount to the State Treasurer, as hereinbefore directed, such treasurer shall not be allowed any compensation or commission.

FRED'K SMITH, *Speaker.*

of the House of Representatives.

WM. G. HAWKINS,

Speaker of the Senate.

APPROVED—the second day of April, A. D. one thousand eight hundred and thirty.

GEO. WOLF.