

## CHAPTER CCXCIII.

AN ACT FOR THE BETTER REGULATING THE RETAILERS OF LIQUORS  
NEAR THE IRON WORKS AND ELSEWHERE.

Whereas the selling of rum and other strong liquors near the furnaces lately erected for running and melting of iron ore have [sic] already proved very prejudicial and injurious to the undertakers:

Therefore for the preventing of which and encouraging and promoting such generous undertakings, we pray that it may be enacted:

[Section I.] And 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 no person or persons whatsoever from and after the publication of this act shall within the distance of two miles to any furnace now erected or hereafter to be erected within this province keep a public house, sell by permit or otherwise dispose of any rum, wine, brandy or other liquors, except he or they shall be specially recommended for license or permit by a majority of the owners of the said furnace or works near which he or they are desirous of keeping a public house or selling by permit rum, wine, brandy or other liquors under the penalty of forty shillings for every such offense, being thereof convicted by his or their own confession or by the oath or affirmation of one or more credible witnesses before the next justice of the peace of the respective county where such offense is committed, to be levied by distress and sale of the offender's goods by warrant under the hand and seal of the said justice before whom such conviction is made, which warrant such justice hath hereby power to make, seal and grant; and where distress cannot be found on the offender's goods, it shall and may be lawful to and for the said justice of the peace aforesaid

to commit such offender or offenders to prison, there to remain without bail or mainprise for the space of twenty days.

[Section II.] And be it enacted by the authority aforesaid, That no person or persons who is or may be so recommended shall be licensed to keep ordinaries or public houses to sell or vend rum, wine, brandy or other liquors near the said works before he or they have entered into recognizance before the justices of the respective courts at their quarterly sessions with two sufficient sureties in the sum of twenty pounds for his or their keeping good orders and due observance and compliance with this act; and that no permit shall be granted by the collector of excise or any other person or persons to any retailer whatsoever in that or any other part of this province for drawing or selling rum and other spirits or any of the liquors aforesaid before he or they enter into recognizance, with sureties in manner aforesaid, for observance of the act of excise passed in the tenth year of His Majesty's reign.

[Section III.] And be it further enacted by the authority aforesaid, That no person or persons whatsoever who is or shall be allowed to sell beer and cider by the nine shilling licenses according to an act [of assembly] of the eighth of King George, entitled "An act for the encouraging the making of good beer," &c., shall directly or indirectly sell, offer or dispose of any rum, wine, brandy or other distilled liquors, mixed or unmixed, in or about their houses or elsewhere under the penalty of forty shillings for every such offense, the offender being convicted thereof before any justice of the peace in manner aforesaid; and if the collector of the excise for the time being shall grant a permit to any person or persons so licensed to sell beer as abovesaid, it shall be deemed an official misbehavior in him and a forfeiture of his bond given the provincial treasurer by direction of the act of excise, anything in the said act or in any other law contained to the contrary thereof in anywise notwithstanding.

[Section IV.] And be it enacted by the authority aforesaid, That all the fines, forfeitures and penalties mentioned in this act shall go, one-half thereof to the governor for the time be-

ing towards support of government, and the other half thereof to the prosecutor.

Provided always, That this act or anything therein contained shall not extend to annihilate or make void the acts of assembly of this province about licensing ordinaries and laying excise or any part thereof, save only what is hereby expressly altered and supplied, and that this act continue in force for two years after its publication, and from thence to the end of the next sessions of assembly and no longer.

Passed March 5, 1725-26. Apparently never considered by the Crown, but allowed to become a law by lapse of time, in accordance with the proprietary charter. See Volume III, Appendix V, Section I, and the Acts of Assembly passed May 6, 1727, Chapter 294; February 20, 1735-36, Chapter 344.