

thonotaries, justice or justices, sheriffs or other officers, shall be indicted and fined for every such offense at the discretion of the court.

[Section VII.] (Section VIII, P. L.) And be it further enacted by the authority aforesaid, That the act, entitled "An act for the effectual recovering and securing the fines, forfeitures and other moneys due or belonging to the commonwealth for the use of the same,"<sup>1</sup> shall have no effect or force whatever, after the publication of this act, except so far as the same may relate to fines, issues, amercements, forfeited recognizances, sum and sums of money paid in lieu and satisfaction of them, and other forfeitures, which have been set, imposed, lost or forfeited in the supreme court, or in any of the courts of common pleas, courts of general quarter sessions of the peace and gaol delivery, or before any special commissioners of oyer and terminer, in any county of this state, or before any justice or justices of the peace, before the publication of this act, to which purposes only the said recited act and all the powers and authorities therein given shall be and remain in force anything contained in this act notwithstanding.

Passed December 9, 1783. Recorded L. B. No. 2, p. 220, etc.

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## CHAPTER MLXIII.

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AN ACT TO REVIVE AND CONTINUE IN FORCE THE ACTS OF ASSEMBLY REGULATING SALES BY PUBLIC AUCTION, AND FOR OTHER PURPOSES THEREIN MENTIONED.

(Section I, P. L.) Whereas the assembly of this commonwealth in the year one thousand seven hundred and eighty, frequently made the title a part of the laws by them enacted:

And whereas from that and other good causes the act passed the twenty-third day of September, one thousand seven hun-

dred and eighty, entitled "An act to alter and amend an act, entitled 'An act for the effectual suppression of public auctions and vendues, and to prohibit male persons capable of bearing arms from being hawkers and pedlers;'"<sup>1</sup> and of consequence the supplement to the same passed April the thirteenth, one thousand seven hundred and eighty-two, expire by their own limitation, on the termination of the war with Great Britain, as will more fully appear, reference being had to the act on which the said acts are grafted passed on the twenty-sixth day of November, one thousand seven hundred and seventy-nine:

And whereas from the exigencies of the state it appears necessary that the said recited acts should be continued and made perpetual:

. [Section I.] (Section II, P. L.) 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 the said act, entitled "A supplement to an act, entitled 'An act to alter and amend an act, entitled an act for the effectual suppression of public auctions and vendues, and to prohibit male persons, capable of bearing arms, from being hawkers and pedlers;'"<sup>2</sup> and every clause, matter and thing, therein contained, and so much of the act aforesaid, passed September the twenty-third, one thousand seven hundred and eighty, as is not altered or supplied by the said supplement, or by this act, shall be, and the same are hereby declared to be, in full force, and binding to all intents and purposes whatsoever, and made perpetual, as if every clause, matter and thing in the acts aforesaid (except as before excepted) were herein specially inserted.

[Section II.] (Section III, P. L.) And be it further enacted by the authority aforesaid, That if any auctioneer or auctioneers appointed under this act, or any person or persons by his or their directions, shall, at any time hereafter, purchase on account or for the use of the said auctioneers, or any of them at his or their respective auctions, any goods, wares or merchandise, and the same be proved on the oath of

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<sup>1</sup> Passed March 18, 1780, Chapter 899.

<sup>2</sup> Passed September 23, 1780, Chapter 919.

one or more credible witness or witnesses, before the justices of the quarter sessions in the city or county of Philadelphia; such auctioneer shall forfeit and pay the sum of five hundred pounds, one-half for the use of the state, and the other for the use of the person who informs and proves the buying aforesaid; to be recovered in any court of record within this state, and shall moreover be rendered incapable thereafter to serve in any post of honor or profit in this state.

[Section III.] (Section IV, P. L.) And be it further enacted by the authority aforesaid, That the several and respective auctioneers shall once in every three months or oftener if thereunto required by the comptroller-general, exhibit and render their accounts upon oath or affirmation, to the said comptroller-general, of all the effects or property by him or them sold at any time before the said time of rendering the same account, and since his last settlement, and of the moneys paid by him to the treasurer arising from the duty upon sales; and any auctioneer so failing or neglecting shall be discharged from his place and his bond put in suit.

(Section V, P. L.) And whereas applications from many deserv- ing citizens have been made for the office of auctioneer, the merits of which, from the short time the house intends to sit cannot now be decided:

[Section IV.] (Section VI, P. L.) Be it therefore enacted by the authority aforesaid, That John Bayard, William Brown and Alexander Boyd shall continue to do and execute the duty of auctioneer respectfully as they have heretofore done until the end of the next sitting of this house, or until they shall by their resolution otherwise direct or appoint.

[Section V.] (Section VII, P. L.) And be it further enacted by the authority aforesaid, That so much of the act aforesaid passed the twenty-third day of September, one thousand seven hundred and eighty as is altered or supplied by this act, be and the same is hereby repealed and made void.

Passed December 9, 1783. Recorded L. B. No. 2, p. 223, etc. See the Act of Assembly passed February 14, 1729-30, Chapter 308; March 19, 1789, Chapter 1400; March 27, 1790, Chapter 1494; February 26, 1791, Chapter 1529; April 4, 1785, Chapter 1158; April 10, 1799, Chapter 2073.