

C H A P. XLIV. such bond, or office copy thereof, suit or suits may be instituted against the obligors therein named for any breach or non-performance of the condition thereof.

Books to be opened, &c. III. AND BE IT ENACTED, That to defray the expence of building said market-house, the said commissioners, or a major part of them, be and they are hereby authorised and empowered to keep books of subscriptions, and to receive subscriptions for the same, and the sums of money subscribed to collect and receive, and the same, when received, to expend in the purchase of site or ground, and building the market-house aforesaid.

Market-days. IV. AND BE IT ENACTED, That after the said market-house shall be built, the days for holding the market thereat shall be, and the same are hereby appointed to be, on Tuesdays and Fridays of each week.

How vacancies are to be filled. V. AND BE IT ENACTED, That in case of the death, refusal to act, or removal from the city of Baltimore or precincts, of any of the commissioners appointed by this act, that the levy court of Baltimore county be and they are hereby authorised and empowered to appoint a fit and proper person to fill up such vacancy, and so from time to time to fill up vacancies, that the said commissioners may have perpetual succession for ever thereafter.

Commissioners to appoint a clerk, &c. VI. AND BE IT ENACTED, That the commissioners of said market, or a majority of them, be and they are hereby authorised and empowered, from time to time, to appoint a fit and proper person as clerk of said market, who, before he takes upon himself the execution of said office, shall enter into bond to the commissioners, with two securities to be approved of by the said commissioners, or a major part of them, conditioned for the due and faithful discharge of the said office of clerk of the market, and that he will render, when required by said commissioners, or a major part of them, a just and true account of all such monies as he shall receive by virtue of his office, and that he will pay and apply such monies, so received, as the commissioners of said market for the time being, or a major part of them, shall order and direct.

Clerk to rent the stalls, &c. VII. AND BE IT ENACTED, That the said clerk of the market, so appointed as aforesaid, be and he is hereby fully empowered, under the direction of the commissioners, to rent or hire out the stalls and shambles in said market-house, and he is hereby directed to keep a fair and just account of the profits arising from the rents aforesaid, and also of all such fines and penalties which he shall collect and receive, and the same apply as the commissioners, or a major part of them, shall direct, for the benefit of said market; and the said clerk shall be allowed, out of the funds of said market, at the discretion of said commissioners, not exceeding two hundred dollars *per annum*; and the said clerk, before he enters upon the duties of his said office, shall take an oath, or make affirmation, before some justice of the peace for Baltimore county, that he will justly, truly and impartially, perform and execute the several duties required of him as clerk of said market.

His powers, &c. VIII. AND BE IT ENACTED, That the clerk of said market shall have sufficient power and authority to take care and charge of the market and market-house aforesaid, and also to try and adjust the weights and measures used at said market by standards to be provided and kept there for that purpose, and when false and untrue weights or measures are discovered, to seize and dispose of them at the next public market-day to the highest bidder, and the money arising from such sale to apply to the use of said market-house, under the directions of the commissioners, or a major part of them.

Penalty for putting horses, &c. in market-house, &c. IX. AND BE IT ENACTED, That it shall not be lawful for any person whatever wilfully to lead, ride or drive, into the said market-house, any horse, mare, gelding or other beast, or to kill or slaughter in said market-house any beef, sheep, calf or hog, under the penalty of one dollar for every such offence, to be recovered by warrant before a single magistrate as in case of small debts, to be paid to the said clerk of the market, to be applied for the use of said market, as the said commissioners, or a major part of them, shall direct.

Court to make rules, &c. X. AND BE IT ENACTED, That the levy court of Baltimore county be and they are hereby authorised and empowered, from time to time hereafter, to make such rules and regulations for advancing and promoting the well being and good order of said market, and the beneficial purposes intended by this act to be derived therefrom, as they in their sound discretion shall judge reasonable, just and proper; provided nevertheless, that no penalty imposed by any rule or regulation shall be recoverable otherwise than before a single magistrate, and paid and applied as aforesaid; and provided also, that such rules and regulations, before they shall have operation and effect, shall be posted up in the most conspicuous places in the said market-house, at least four public market-days.