

**ORDINANCES
AND
RESOLUTIONS**

1797-1802



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LEGISLATIVE REFERENCE
CITY HALL
BALTIMORE, MD.

ORDINANCES OF THE CORPORATION

OF THE
CITY OF BALTIMORE,

*Passed at their First and Second Sessions, held February,
1797, and February, 1798.*

WITH THE
ACT OF INCORPORATION PREFIXED.



118-57
BALTIMORE:

RE-PRINTED BY JOHN COX,
CITY PRINTER,
Corner Pratt Street and Spear's Wharf.

1875.

MAY 14 1957

ACT OF INCORPORATION.

An Act to erect Baltimore Town, in Baltimore County, into a City, and to incorporate the inhabitants thereof.

Whereas, it is found by experience that the good order, health, peace and safety of large towns and cities cannot be preserved, nor the evils and accidents to which they are subject avoided or remedied, without an internal power competent to establish a police and regulation fitted to their particular circumstances, wants and exigencies ; therefore,

Preamble.

SECTION 1.—Be it enacted by the General Assembly of Maryland, That Baltimore town, in Baltimore county, shall be, and is hereby, erected into a City, by the name of the City of Baltimore, and the inhabitants thereof constituted a body politic and corporate by the name of the Mayor and City Council of Baltimore, and as such shall have perpetual succession, and by their corporate name may sue and be sued, implead and be impleaded, grant, receive and do all other acts as natural persons, and may purchase and hold real, personal and mixed property, or dispose of the same for the benefit of the said city, and may have and use a city seal, which may be broken or altered at pleasure. The City of Baltimore shall be divided into eight wards, each ward to contain, as nearly as may be, an equal number of inhabitants, the first division shall be made by seven respectable citizens, or a majority of them, to be appointed by the Governor and Council ; and the corporation of the said city thereafter, from time to

Baltimore town erected into a city.

City Seal.

City divided into eight wards.

A correct division shall be made.

A further division of wards when to be made.

time, shall cause a correct division of the said city to be made into eight wards, according to the actual number of inhabitants, which divisions shall be repeated as often as the increase or decrease of inhabitants in any ward or wards shall render it necessary, in order to a just representation; and when the inhabitants shall increase to forty thousand, it shall then be divided into fifteen wards, and for any additional increase of inhabitants, one new ward only shall be added for every twenty thousand, in order to preserve, as nearly as may be, an equal number of voters in each ward.

City Council to consist of two branches.

Qualifications of members of the first branch.

Qualifications of voters.

SEC. 2.—And be it enacted, That the Councils of the City of Baltimore shall consist of two branches, one whereof shall be denominated the First Branch, the other the Second Branch; the First Branch shall consist of two members of the most wise, sensible and discreet of the people from each ward, who shall be citizens of the United States, above twenty-one years of age, residents of the said town three years preceding their appointment, and assessed on the books of the assessor to the amount of one thousand dollars; and the voters for the First Branch of the said City Council shall have the same qualifications as voters for Delegates to the General Assembly of this State; and the said election shall be made *viva voce*.

Elections for the first branch when to be held.

To be held by wards.

How judges of elections are appointed.

SEC. 3.—And be it enacted, That the first election for members of the First Branch of the City Council shall be held on the third Monday in February, one thousand seven hundred and ninety-seven, and on the third Monday in February, in each and every year thereafter, at such place in each ward as the judges of the election, in the first instance, and afterwards as the corporation by ordinance shall direct. The election shall be held by wards, and no person shall be entitled to vote for any but the members of the ward of which he is a resident; three respectable citizens, residents in each ward, or a majority of them, in the first instance, to be appointed by

the Commissioners of Baltimore town, and afterwards by the Mayor of the said City, shall be judges of the elections in their respective wards, and they shall have power to appoint their respective clerks.

SEC. 4.—And be it enacted, That the polls in each ward shall be kept open one day, from eight o'clock in the morning till six o'clock at night, and no longer, and when closed, the several judges shall, within three days after such election, notify to the persons having the greatest number of legal votes in their respective wards, that they are duly elected; and they shall make their return, and deposit their polls, in the first instance, with the present clerk of the Commissioners of Baltimore town, and thereafter as shall be directed by ordinance; any vacancy happening in the First Branch of the City Council, shall be filled up without delay, from the ward where such vacancy happened, in such manner as shall be hereafter directed by ordinance.

Polls open one day.

How judges shall make returns of elections.

SEC. 5.—And be it enacted, That the Second Branch shall consist of eight members, who shall be chosen from the several wards, and no person shall be eligible as a member of the Second Branch, who is not of the full age of twenty-five years, a citizen of the United States, and a resident of the said town four years, previous to his election, and assessed on the books of the assessor to the amount of two thousand dollars; and the members of the Second Branch shall continue in office for the term of two years next succeeding the time of their election.

Qualifications of members of the second branch.

SEC. 6.—And be it enacted, That the Mayor of the said City, and the members of the Second Branch of the City Council, shall be chosen in the following manner, to wit: That each ward, at the time and place of electing the First Branch of the City Council, shall elect *viva voce*, one person qualified to be a member of the First Branch as elector of the Mayor and of the members of the Second Branch

The mayor and second branch how chosen.

of the City Council, on the third Monday in January next, and on the same day every second year thereafter, who shall, on the third Monday in February, one thousand seven hundred and ninety-seven, and on the same day every second year thereafter, meet at the Court House, or some other convenient place in the said city, and elect, by ballot, a Mayor and eight members of the Second Branch, to serve for two years thereafter; no person shall be eligible for Mayor, who is not of known integrity, experience, and sound judgment, twenty-five years of age, ten years a citizen of the United States, and five years a resident of Baltimore town, or city, next preceding the election; and in case two or more persons shall have an equal number of votes for Mayor, or members of the Second Branch, the said electors shall determine by lot, which of the persons so having an equal number of votes, shall be appointed to the office of Mayor, or Second Branch of the City Council, as the case may require; the said electors of the Mayor and of the members of the Second Branch, before they proceed to elect, shall swear or affirm, as the case may be, that they will elect without favor, partiality or prejudice, such person for Mayor, and such persons as members of the Second Branch of the City Council, as they in their judgment and conscience believe best qualified for the said offices, and having the other qualifications required by this Act; that the said electors shall be judges of the elections, returns, and qualifications of their members; but no person shall be elector of the Mayor and members of the First Branch of the City Council at the same time; any vacancy happening in the electors of the Mayor, shall be filled up from the ward where such vacancy happened, without delay, in such manner as shall be hereafter directed by ordinance, and any vacancy of the Mayoralty happening, the same shall be filled up without delay, by the electors of the Mayor for the time being, for the remainder of the term; and all vacancies happening in the said Second Branch, shall be filled up by the electors aforesaid.

Electors meet at court house.

Mayor's qualifications.

Lot to determine when votes are equal.

Elector's oath.

Electors judges of their elections

Vacancy in electors.

Vacancy of the mayoralty.

Vacancies in the second branch.

SEC. 7.—And be it enacted, That the City Council shall hold their first session at the Court House in Baltimore, or at any other place within said city, on the second Monday in February, one thousand seven hundred and ninety-seven; and they shall meet on the second Monday of February in every year thereafter; but the Mayor may summon them to convene whenever, and as often as it may appear to him that the public good may require their deliberations. Three-fourths of the City Council shall be a quorum to do business, but a smaller number may adjourn from day to day; they may compel the attendance of absent members, in such manner, and under such penalties, as they may by ordinance provide; they shall appoint their respective presidents, who shall preside at all their sessions, and shall vote on all questions; they shall settle their rules of proceedings, appoint their own officers, regulate their respective fees, and remove them at pleasure; they shall judge of the elections, returns, and qualifications of their own members, and may, with the concurrence of three-fourths of the whole, expel any member for disorderly behaviour, or mal-conduct in office, but not a second time for the same cause; they shall keep a journal of their proceedings, and enter the yeas and nays on any question, resolve or ordinance, at the request of any member, and their deliberations shall be public; they shall ascertain by ordinance, the compensation of their services, which shall not be increased during their continuance in office: The Second Branch of the City Council shall nominate two citizens to each office which may arise under this Act and the ordinances of said corporation, and the Mayor shall appoint and commission one of said nomination, to fill the respective offices during pleasure; and the said Mayor shall appoint proper persons to fill up all vacancies during the recess of the session, to hold such appointment until the ensuing session: The City Council shall settle the salary of the first Mayor at their first session of the second year, and the salary of the succeeding Mayors shall be settled previously to their

Session of the city councils.

The mayor may convene them.

May compel attendance of absent members.

Judges of their elections.

May expel any member.

By ordinance fix the compensation for their services.

Officers of the corporation, how appointed.

Mayor fills up vacancies.

Mayor's salary.

Mayor hath a qualified negative.

Force of the laws.

If the mayor don't approve.

Three-fourths necessary.

appointment; all ordinances or acts passed by the City Council shall be sent to the Mayor for his approbation, and when approved by him, shall become a law, and shall then be obligatory upon the several Courts and Justices of the Peace of Baltimore county, Sheriff and Constables within the limits of the City of Baltimore, and all other persons within the limits of said city, to every intent and purpose as the Acts of the General Assembly of Maryland: Provided the said laws or ordinances shall not contain any thing repugnant to the constitution or laws of this State, or the United States; but if the said Mayor shall not approve of such ordinances or acts, he shall return the same within five days, with his reasons in writing therefor, and if three-fourths of both Branches of the City Council, on reconsideration thereof, approve of the ordinance or law, it shall then be an ordinance or law, to all intents and purposes; and if any ordinance or law shall not be returned by the Mayor within five days after it shall have been presented to him, the same shall be a law, in like manner as if he had approved it, unless the City Council, by their adjournment prevent its return.

Power of the corporation.

Health, &c.

Night watches.

Streets, lanes and alleys.

River, basin and docks.

SEC. 8.—And be it enacted, That the corporation aforesaid shall have full power and authority to enact and pass all laws and ordinances necessary to preserve the health of the city, prevent and remove nuisances; to prevent the introduction of contagious diseases within the city, and within three miles of the same; to establish night watches or patrols, and erect lamps; to provide for a general survey of the city and precincts; to ascertain when necessary, the boundaries and location of streets, lots, lanes and alleys thereof, to establish new streets, lanes and alleys, with the consent of the proprietors of the ground, and to alter and to straighten streets, lanes and alleys, with the consent of the proprietors of the lots or houses adjoining such streets, lanes and alleys; to provide for the preservation of the navigation of the Basin and Patapsco river within the

limits of the City of Baltimore, and four miles thereof; for cleaning and deepening the basin and docks, and for regulating the station, anchoring and mooring of vessels; but no tax direct or indirect shall be laid on that part of Baltimore called Deptford Hundred, for the preservation of the navigation of the basin, or for cleaning or deepening the basin or docks therein; to provide for licensing and regulating auctions and pawnbrokers within the city and precincts thereof; to restrain or prohibit gaming, and to provide for licensing, regulating or restraining theatrical or other public amusements within the city or precincts; to erect and repair bridges; to pave and keep in repair all necessary drains and sewers, and to pass all regulations necessary for the preservation of the same, to establish and regulate inspections within the city, subject to the future Acts of the General Assembly; to regulate and affix the assize of bread; to provide for the safe keeping and preservation of the standard of weights and measures fixed by Congress, and for the regulating thereby all weights and measures used within the city and precincts; to regulate party walls and partition fences; to erect and regulate markets; to provide for licensing and regulating (with the consent of the Maryland Insurance Fire Company) the sweeping of chimneys, and fixing the rates thereof within the city and precincts, and for regulating the sweeping of any chimney, by the neglect of which the safety of the city may be endangered, and to ascertain the width of those to be built in the city; to establish and regulate fire wards and fire companies; to regulate and establish the size of bricks that are to be used in the houses to be built in the city; to erect and regulate pumps in the streets, lanes and alleys; to impose and appropriate fines, penalties and forfeitures, for the breach of their by-laws or ordinances; to lay and collect taxes, not exceeding two dollars in the hundred pounds in any one year, except as before is excepted; to enact by-laws for the prevention and extinguishment of fires, and to pass all ordinances necessary

Deptford Hundred exempted.

Auctions &c.

Gaming.

Theatres.

Bridges.

Sewers.

Inspections.

Weights and measures.

Party walls.

Markets.

Chimnies.

Their size.

Fire Wards.

Pumps.

Tax on property

General powers in the corporation of the City of Baltimore; *provided*, that the by-laws or ordinances of the said corporation shall be in no wise obligatory upon the persons of non-residents of the said town, being citizens of this State, unless in cases of intentional violation of by-laws or ordinances previously promulgated; all the fines, penalties and forfeitures imposed by the ordinances of the corporation of the City of Baltimore, if not exceeding twenty dollars, shall be recovered before a single magistrate, as small debts are by law recoverable; and if such fines, penalties and forfeitures do exceed the sum of twenty dollars, then to be recovered by action of debt in Baltimore county court, in the name of the corporation, and for the use of the City of Baltimore.

Town Commissioners, &c., cease.

SEC. 9.—And be it enacted, That the powers and authority vested in the town commissioners, special commissioners and port wardens, heretofore appointed by law for Baltimore town, except the authority of the town commissioners to hold elections agreeably to the constitution and form of government, shall cease and determine as soon as this Act shall be in force and operation; and the corporation of the City of Baltimore are hereby declared to possess, and may provide for the exercise of all powers and authorities now vested in the said town commissioners, special commissioners and port wardens, except the holding of elections for Delegates to the General Assembly—but no rights acquired under the Acts of the aforesaid board shall be annulled, impaired, avoided or restrained by any acts of the said corporation; and immediately upon the operation of this act, and organization of the corporation contemplated thereby, the records, papers, proceedings, monies, accounts, and all other matters and things appertaining to the said commissioners of Baltimore, special commissioners and port wardens shall be lodged and deposited with such person or persons as shall be appointed by the Mayor and corporation of the city to receive the same; and all

Their powers devolve on the corporation.

Former rights remain.

Records and monies given up.

acts of the Legislature of the State of Maryland now in force shall continue and remain in force, but the powers and authorities thereby delegated to the commissioners of Baltimore town, special commissioners and port wardens, or any other tribunal or person, touching the police of Baltimore town, or any of its internal concerns, shall be, and they are hereby, transferred and vested in the corporation hereby constituted, and the said corporation are hereby empowered to act under such laws in the same manner, and as fully as if the said corporation had been particularly named in such laws. The Mayor shall, in virtue of his office, have and exercise all the jurisdiction and powers of a justice of the peace, except as to the recovery of small debts, and may call upon any officer of the city entrusted with the receipt and expenditure of public money for a statement of his accounts as often as he or the corporation may conceive it necessary; he shall see that the ordinances are duly and faithfully executed, and shall report annually to the corporation during the first five days of their session a general state of the city, with an accurate account of the money received and expended, to be published for the information of the citizens. The Mayor and corporation of the City of Baltimore, the judges and clerks of the elections, and all other officers of the city, before they enter upon the execution of their respective offices, shall severally take the following oath or affirmation:—I do solemnly swear or affirm, as the case may be, that I will faithfully execute the office of ——— to the best of my knowledge and ability, without favor, affection or partiality.

Acts of the legislature still in force.

Vested in the corporation.

Mayor by office is a justice of the peace.

May call on any officer.

Execute the laws.

Report of the state of the city.

Oath of all officers.

SEC. 10.—And be it enacted, That the person or persons appointed to collect any tax imposed in virtue of the powers granted by this act, shall have authority to collect the same by distress and sale of the goods and chattels of the person chargeable therewith; but no sale shall be made unless ten days' previous notice thereof shall be given, and if the tax imposed shall be chargeable on any real property,

Mode of collecting taxes.

and no goods or chattles can be found liable to be distressed therefor, the same may be recovered by action of debt, or attachment, in Baltimore county court, in which no imparlance shall be allowed.

City contains all
new made
ground on the
basin.

SEC. 11.—And be it enacted, That all and singular the powers granted to the said corporation shall be, and are hereby, declared to extend to Deep Point, and to all wharves and other grounds heretofore made and extended into the basin of Baltimore town, or which shall hereafter be made and extended into the same, which shall be considered and taken as part of the said city; and the said corporation may provide for the exercise of such powers in the same manner as if the said wharves and reclaimed lands were originally condemned as part of the same town.

Watch act per-
petual.

SEC. 12.—And be it enacted, That an act of assembly passed at November session, seventeen hundred and eighty-four, entitled, “An act for the establishment and regulation of a night watch, and the erection of lamps in Baltimore town, in Baltimore county,” shall be and is hereby enacted and declared to be a perpetual law, subject, nevertheless, to such alterations, amendments and revisions, as may hereafter be enacted and ordained by the corporation aforesaid, or the Legislature of this State.

Committee of
Health's ex-
penses for 1796.

SEC. 13.—And, whereas the committee of health of Baltimore, have incurred a debt of two thousand two hundred dollars in execution of the trust reposed in them, be it enacted, that the corporation aforesaid shall assess and levy on the assessable property of said city, the amount of the expenditures of the said committee of health for and during the year seventeen hundred and ninety-six, to be collected in the same manner as the county levy is by law directed to be collected, and to be applied as aforesaid.

SEC. 14.—This act to continue in force until the first day of September, seventeen hundred and ninety-eight, and the end of the next session of Assembly which shall happen thereafter, Continuance.

By the House of Delegates, December thirty-first, 1796.—Read and assented to.

By order,

WM. HARWOOD, *Clerk.*

By the Senate, December thirty-first, 1796.—Read and assented to.

By order,

A. VAN HORN, *Clerk.*

A Supplement to the act, entitled an act to erect Baltimore town in Baltimore county, into a City, and to incorporate the inhabitants thereof.

Be it enacted by the General Assembly of Maryland, That the next election for members of the First Branch of the City Council shall be held on the third Monday in January, seventeen hundred and ninety-eight; and that the election next thereafter shall be held on the first Monday of October, in the same year; and that every succeeding election for members of the First Branch of the City Council, shall be held on the first Monday in October in each and every year for ever thereafter; that the next election for electors of the Mayor, and of the members of the Second Branch of the City Council, shall be held on the first Monday in October, in the year seventeen hundred and ninety-eight; and every succeeding election for electors of the Mayor and of the members of the Second Branch of the City Council, shall be held on the first Monday in October in every second year thereafter. And that the said electors of the Mayor and of the members of

Elections when held for members of the first branch.

For electors of the mayor and second branch.

the Second Branch of the City Council shall meet on the first Monday in November, in the year seventeen hundred and ninety-eight, and on the first Monday in November, in every second year thereafter, for the purpose of electing a Mayor and members of the Second Branch of the City Council, any thing in the original act, to which this is a supplement, to the contrary notwithstanding.

Time of electing mayor.

SEC. 2.—And be it enacted, That the corporation aforesaid shall have full power and authority to enact and pass all ordinances necessary for paving and keeping in repair the streets, lanes and alleys in the City aforesaid, to make and keep in repair all necessary drains and sewers, as well in the city as precincts; to tax any particular part or district of the city for paving the streets, lanes or alleys therein, or for sinking wells or erecting pumps, which may appear for the benefit of such particular part or district; to establish and regulate gaugers and their fees, and the fees of all the corporation officers; to license and regulate brokers, sedan chairs, hackney coaches, or other carriages kept for hire and employed within the city, and also draymen, waggoners, carters, porters and watermen residing and employed within the said city, with powers to make all necessary regulations respecting the same, to direct in future in what parts of the city buildings of wood shall not be erected, to erect and provide magazines for the storage of all gunpowder brought to the city or precincts, and to compel the same to be stored in said magazines, and to regulate the price of said storage; to prevent the storage of naval stores or other combustible matter, in such quantities or places within the city or precincts, as may be deemed dangerous to the safety of the same; to erect or build house of correction, hospitals or pest houses, within or without the city, if necessary, and to pass all ordinances for the government of the same; to make new assessment of all real and personal property as often as it may be necessary; to punish corporally any servant or slave guilty of a breach of any ordinance, unless the master or mis-

Their powers.

Their powers.

gress pay the fine annexed to the offence ; to prevent the making new docks or canals without the consent of the corporation ; and to add to the city any of the adjoining lands, on the application and with the consent of the owners, and to lay off the necessary streets, lanes and alleys through the same, giving them the rights and privileges, and subjecting them to the laws and ordinances of the city.

And be it enacted, That an act of assembly, entitled, an act to erect Baltimore town, in Baltimore county, into a city and to incorporate the inhabitants thereof, passed at November session, seventeen hundred and ninety-six, with this supplement, shall be, and are hereby enacted and declared to be, perpetual except where altered by this act ; and that all acts and ordinances passed, or to be passed, by and under the authority of the same, are hereby enacted and declared to be good and valid to all intents and purposes whatsoever.

Charter made perpetual.

Ordinances of the corporation declared valid.

ORDINANCES
OF THE
CORPORATION
OF THE
CITY OF BALTIMORE.

Passed at their First Session, held February, 1797.

No. 1.

An ordinance to continue the several officers therein mentioned in the exercise of the powers heretofore granted to them by the Commissioners of Baltimore town, and Port Wardens, until the Corporation shall take further order therein.

Be it ordained, by the Mayor and City Council of Baltimore, That the several clerks of the markets, the hay weighers, wood corders, harbor master, inspector of flour and of salted provisions, be, and are hereby, continued in the exercise of the powers heretofore granted to them by the Commissioners of Baltimore town and the Port Wardens, until the corporation shall provide for the same.

Officers continued, &c.

Approved March 6, 1797.

No. 2.

An ordinance to appoint persons to take into possession and safe keeping the Records, Papers, Proceedings, Monies and Accounts of the Corporation of the City of Baltimore.

Whereas, by the Act of Assembly, entitled "An Act to erect Baltimore town, in Baltimore county, into a City, and to incorporate the inhabitants thereof," it was, amongst other things enacted, that

Preamble.

immediately on the operation of said Act, and organization of said corporation, the records, papers, proceedings, monies, accounts and all other matters and things appertaining to the Commissioners of Baltimore town, special Commissioners and Port Wardens, should be lodged and deposited with such person or persons as should be appointed by the Mayor and corporation of the said City to receive the same.

And it appearing reasonable that such persons should be appointed as soon as convenient, agreeably to the said Act of incorporation,

Be it enacted and ordained by the Mayor and City Council of Baltimore, that Richard H. Moale be, and is hereby, appointed to receive the records, papers, proceedings and accounts of the Commissioners of Baltimore town, special Commissioners, and Port Wardens. And he is hereby authorized and directed to call on the said Commissioners of Baltimore town, special Commissioners, and Port Wardens, to receive the same for safe keeping, until the corporation shall take further order therein.

A person appointed to receive the records, &c.

And be it enacted and ordained, That William Gibson be, and is hereby, appointed to receive all the monies in the hands of the Commissioners of Baltimore town, special Commissioners and Port Wardens. And he is hereby, authorized and directed to call on the said Commissioners of Baltimore town, special Commissioners, and Port Wardens, to receive the same and to lodge and deposit the monies so received, with him for safe keeping, until the corporation shall take further order therein.

A person appointed to receive the monies, &c.

And be it enacted and ordained, That the persons appointed in virtue of this ordinance, before they enter on the execution of the duties required of them, give bond and security in such sum as the

To give bond, &c.

Mayor shall direct and approve, to the corporation aforesaid, for the faithful performance of the trusts created by this ordinance.

Passed March 17, 1797.

No. 3.

An ordinance to provide a Seal for the City of Baltimore.

Whereas, the City Council of Baltimore, have by their resolve heretofore made, requested the Mayor of the City of Baltimore to provide a City seal, preferring the one heretofore used by the town Commissioners, if the necessary alterations be made thereon. Preamble.

And whereas, the Mayor hath by his report made known to the said City Council, that he hath agreeably to the said resolve, provided a City seal, which he hath presented to the said City Council, City Seal provided.

Be it therefore ordained by the Mayor City Council of Baltimore, That the said seal shall be city seal of Baltimore, to be had and used in all such cases as hath been or may be hereafter provided by the laws of the United States, the laws of the several respective States of the said United States, and the ordinances of this corporation, and in all such other cases as by the usage and customs of nations it is necessary to use and affix a city seal. Seal of the City of Baltimore.

Approved March 20, 1797.

No. 4.

An ordinance to compel the attendance of absent members of the City Council.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That if any member of the First or Second Branch of the City Council shall neglect to appear at the hour of meeting in the Members to attend.

Branch of which he is a member, or shall after appearance absent himself on any day before the hour of adjournment, without leave first obtained of the President of the Branch of which he is a member, such person or persons shall forfeit and pay a sum not exceeding two dollars for every time he shall neglect to attend, or absent himself as aforesaid, unless he be excused as is hereinafter provided.

Penalty for non-attendance.

And be it enacted and ordained, That the fines and forfeitures incurred by this ordinance shall be deducted out of an allowance due to to the member or members incurring the same; and if such member or members shall not have due unto them a sum sufficient to discharge and pay the fines and forfeitures incurred as aforesaid, the balance or sum remaining due shall and may be collected in the same manner as other fines and forfeitures are and may be collected.

Fines to be deducted out of allowance, &c.

And be it enacted and ordained, That after the attendance of the member in his place who has been absent, he shall be required by the President to assign the cause of such absence, and after stating the same, he shall forthwith withdraw; and such fine shall be imposed on him for his non-attendance as to that branch of the City Council of which he may be a member shall appear right, not exceeding the said two dollars, or excused, as the case may be.

Members to assign cause of absence.

Fine.

And be it enacted and ordained, That if any member shall not attend, or cease to attend during the session of the City Council, he shall transmit to the President of the branch of which he is a member a satisfactory excuse in writing during the session, or he shall be fined in the discretion of his branch not exceeding two dollars a day, for each day he shall so absent himself.

Absent members to send excuses in writing.

And be it enacted and ordained, That neither branch shall adjourn without the consent of the other for a longer time than one day during the session. Adjournment.

Approved March 20th, 1797.

No. 5.

An ordinance to establish a Register and Treasury Department.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there shall be hereafter two principal officers denominated Register and Treasurer of the City of Baltimore. A register and treasurer to be appointed.

Be it enacted and ordained, That the Register shall receive and have in his charge and keeping all the records, papers and proceedings of the said corporation, and shall receive and safe keep all the votes and proceedings of the City Council after their session, and all and every return of elections by the judges of election from the several wards of the said city for members of the First Branch of the City Council, or electors of the Mayor and members of the Second Branch of the City Council, and of the election of the Mayor and Second Branch aforesaid; and it shall be his duty to keep in a book to be provided for that purpose, an exact account and record of all nominations, appointments, and commissions of every officer of the corporation, and also to note and register every act and transaction of the said corporation. Register to receive the records, &c.
The votes and proceedings of the city council.
Returns of elections.
To record nominations, &c.

And be it enacted and ordained, That whenever an ordinance or act of the First and Second Branch of the City Council, having been approved and signed by the Mayor of the said city or not having been returned by him with his objections in five days, and shall become an ordinance or take effect, Register to receive the ordinances from the mayor.

it shall be forthwith received by the Register from the Mayor, and whenever an ordinance or act shall be returned by the Mayor with his objections, and shall, on being reconsidered, be agreed to be passed, and be approved by three-fourths of both branches of the City Council of Baltimore, and thereby become an ordinance, or take effect, it shall in such case be transmitted to the Mayor, and by him delivered to the Register; and the Register shall, as soon as conveniently may be after he has so received the same, cause such ordinance or act to be published in one of the newspapers of the said city, and he shall carefully preserve the originals, and shall cause the same to be recorded in books to be provided for that purpose.

Ordinances to be published.

To be recorded.

Register to receive the city seal.

And be it enacted and ordained, That the said Register shall receive into his care and keeping the seal of the City of Baltimore for such purposes as shall be by this and other ordinances directed.

To affix the city seal, &c.

And be it enacted and ordained, That the said Register is hereby directed to affix the City seal and his signature to all such papers, proceedings, and things as he shall or may be required to do, as well by the Mayor of the said City and the ordinances of the said corporation, as also by the laws of the United States and the laws of the several States of the United States.

Copies of records &c., evidence in all cases.

And be it enacted and ordained, That all copies of records and papers in the said office, authenticated under the said seal, shall be evidence in all cases equally as the original record or paper.

A treasurer to be appointed.

And be it enacted and ordained, That a Treasurer be appointed for the said City, who shall receive all monies belonging to the corporation thereof, or which may hereafter be raised by virtue of any ordinance or act of the said corporation, and shall deposit the same for safe keeping in the Bank of Baltimore, in the name of the said corporation, and

Money deposited in the bank of Baltimore.

shall draw for the same as Treasurer of the City of Baltimore, as may be directed by ordinance; and it shall be the duty of the said Treasurer to keep a bank book, which shall contain regular entries of all monies by him deposited, on account of the said corporation, and of all drafts by him made, with the names of the persons in whose favor the same shall be drawn, and he shall moreover keep fair and regular accounts in a book or books for this especial purpose to be kept, of all monies by him received and paid on account of the said corporation, and shall on the first Monday of January in every year, or oftener if thereto required by the Mayor or City Council, make out a general account of all and singularly his receipts and payments on account of the said corporation, and shall deliver three copies thereof to the Mayor of the said City, one of which copies shall be retained by the said Mayor, and the other two delivered to the respective Branches of the City Council for their inspection; and the said Treasurer shall at all times submit his books of account touching his said office, to the inspection and examination of any Committee which may at any time be appointed by either Branch of the City Council for that purpose; and in case of his removal or resignation, shall pay over to his successor in office, all such balances, as upon a final settlement of his accounts shall be found to be, and remain in his hands; and shall deliver up to the Mayor for the use of the corporation, all his books of accounts, and all official papers and vouchers that shall have come to his hands.

Treasurer to account yearly, &c.

In case of removal &c., to pay monies to successor.

And be it hereby enacted and ordained, That the said Register and Treasurer before they enter upon the execution of their respective offices, shall take the oath of office prescribed by the Act of Incorporation, and give bond with security, to be approved of by the Mayor; the Register in the sum of fifteen hundred dollars, and the Treasurer in the sum of thirty thousand dollars, that they will respectively, diligently, well and faithfully execute the office of

Register and treasurer to take the oath &c.

To give bond &c.

Register and Treasurer of the City of Baltimore, agreeably to the true intent and meaning of this ordinance and of every other ordinance of the said corporation.

Compensation
by ordinance.

And be it enacted and ordained, That the said Register and Treasurer shall be entitled to receive such compensation for their services as shall be hereafter directed by ordinance.

Approved March 27, 1797.

No. 6.

An ordinance to appoint a person to collect all arrearages of taxes, fines, forfeitures and tavern and other licences, now due and owing to the corporation of the City of Baltimore.

A collector to be
appointed.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be a Collector to collect all arrearages of taxes, fines, forfeitures, tavern and other licences, now due and owing to the said corporation.

To collect ar-
rearages of taxes

And be it enacted and ordained, That the said Collector shall have full power and authority, and he is hereby directed and required to collect all arrearages of taxes, all fines and forfeitures, tavern and other licenses, now due and owing to the said corporation, and when collected and received by the said Collector to pay the same to such Treasurer as may hereafter be appointed by the said corporation.

To pay the same
to the treasurer.

To collect chim-
ney fines.

And be it enacted and ordained, That the said Collector shall have full power and authority to collect all fines and forfeitures incurred by reason of any chimney or chimnies hereafter taking fire within the said city, and that he shall have full power and authority to use all lawful ways and means for the recovery of the same, and when recovered and re-

ceived by him, he shall pay the same to such Treasurer as may hereafter be appointed by the corporation aforesaid. To be paid to the treasurer.

And be it enacted and ordained, That before the said Collector shall take upon himself the execution of the trusts and duties required of him by this ordinance, he shall give bond with security to be approved of by the Mayor, to the Mayor and City Council of Baltimore, in the sum of two thousand dollars, that he will well, faithfully and diligently execute the several duties required of him by this ordinance; and that he will well and truly pay all the monies so collected by him, in virtue of this ordinance, in such manner and at such times as is hereinafter provided. To give bond, &c.

And be it enacted and ordained, That the said Collector shall complete the collections contemplated by this ordinance, on or before the first day of June next ensuing, or give sufficient reasons to the Mayor why the same has not been done. Collections to be completed, &c.

And be it enacted and ordained, That the said Collector shall render an account on oath, at least once in every month, of all monies by him received in virtue of this ordinance, and pay over the same to the Treasurer, deducting therefrom ten per centum on all taxes and licenses, and on all fines and forfeitures, for his trouble in collecting the same. To render accounts monthly Commission.

Approved March 27, 1797.

No. 7.

An ordinance to restrain gaming, and to license and regulate theatrical and other public exhibitions within the City and precincts of Baltimore.

Whereas, true religion and good morals are the only solid foundations of public liberty and happiness; and the corporation of the City of Baltimore, being anxious to promote the same by suppressing Preamble.

gaming, and fraudulent practices, which are productive of idleness, dissipation and a depravity of principles,

Fraudulent gaming prohibited, &c.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That if any person or persons do and shall, within the City of Baltimore or precincts thereof, by any fraud, theft, cozinage, circumvention, deceit, unlawful device, or evil practice whatsoever, in playing at or with cards, dice or any other game or games, or in or by bearing a share or part in the stake, wager or adventure, or in or by betting on the side or hand of such as do or shall play, win, obtain or acquire to him or themselves, or others knowing of said fraud, any sum or sums of money, or other valuable thing or things whatsoever; every such person or persons being thereof convicted by indictment, shall forfeit five times the value of the money or other valuable thing so won, with costs for the use of the said City.

Penalty on conviction.

And to prevent gaming at ordinaries and licensed houses of entertainment, which is often attended with disputes, quarrels and the impoverishment of many people and their families, and the ruin of the health, and corruption of the morals of youth, who at such places frequently fall in company with sharpers, and other idle and disorderly persons.

Gaming &c., prohibited.

Be it enacted and ordained, that any person or persons who shall at any time, in any ordinary or licensed house of entertainment, win or lose five dollars, or upwards, at cards, dice, or any other game or games whatsoever, every such person or persons, on conviction thereof, shall forfeit and pay ten dollars, and costs, one-half to the informer and the other half for the use of the said City.

Penalty.

Ordinary keepers to prohibit gaming in their houses &c.

And be it enacted and ordained, That if any ordinary keeper shall suffer or permit any person or persons whomsoever, to lose five dollars or upwards, at any time, in his house, at any game or games

whatsoever, and knowing the same, shall forfeit and pay for every such offence the sum of ten dollars and costs, one-half to the informer and the other half for the use of the said City.

And for the better regulating and licensing theatrical entertainments and other public exhibitions, within the City and precincts,

Be it enacted and ordained, That no person or persons within the City or precincts, shall act, exhibit, play or perform any play, farce, interlude, show, opera or other theatrical or dramatical performance, or entertainment, or show, or public exhibition for gain, without a license for that purpose, first had and obtained from the Mayor, and under the seal of the City for that purpose, under the penalty of one thousand dollars, and costs, for the use of the City, which said license shall express for what it is granted, and the time it is to continue.

Theatrical exhibitions &c., prohibited without license.

Be it enacted and ordained, that the following tax or fine shall be imposed and laid on each license granted as aforesaid; which said tax or fine shall be paid, or secured to be paid, to the Treasurer of the City, on the granting such license as follows: to wit:

Tax on license.

For licenses for any theatrical exhibition, eight dollars for each night of performance.

For circuses or feats of horsemanship, eight dollars for each time of performance.

For rope or wire dancing, or puppet shows, ten dollars per week.

For musical parties for gain, five dollars per night.

For all other public exhibitions two dollars per week.

And whereas, the collecting of great numbers of people during the warm season into theatres is productive of contagious fevers, and other maladies,

Be it enacted and ordained, That no theatrical or dramatical performance or feats of horsemanship shall be played, acted or performed in the said City or precincts, any time between the tenth day of June and the first day of October, under the penalty of three hundred dollars and costs, for the use of the said City.

Prohibited from
the 10th of June
until the 1st of
October.

Approved March 28, 1797.

No. 8.

An ordinance directing the manner of filling up vacancies in the First Branch of the City Council, and the electors of the Mayor and Second Branch of the City Council, and directing the returns of elections for the City of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That in case of any vacancy happening in the First Branch of the City Council, or electors of the Mayor and members of the Second Branch of the City Council, the Mayor is hereby, authorized and directed, upon either of such vacancies happening, immediately to issue his warrant to the judges of election in the ward where such vacancy shall happen, authorizing and directing them, or a majority of them, to hold an election in said ward, for a member of the First Branch of the City Council, or an elector of the Mayor and Second Branch of the City Council for said ward, as the case may be, to fill up such vacancy, (the said judges giving three days' public notice previous to said election, of the time and place in said ward of holding such election,) and they are hereby, directed to keep the polls open for one day, from 8 o'clock

Vacancies.

In case of vacancy the mayor to issue warrants of election, &c.

Public notice to be given.

in the morning, until 6 o'clock in the afternoon, and no longer; and the said election shall be *viva voce*. Election to be viva voce.

And be it enacted and ordained, That the elections for the several wards shall be held at the following several places in each ward, that is to say: Places for holding elections.

For the first ward, at the house now occupied by Peregrine Nowland.

For the second ward, at the house now occupied by John Sears.

For the third ward, at the house now occupied by James Bryden.

For the fourth ward, at the house now occupied by Henry Speck.

For the fifth ward, at the Exchange.

For the sixth ward, at the house now occupied by Abraham Kauffman.

For the seventh ward, at the house now occupied by Nathan Griffith.

For the eighth ward, at the house now occupied by James Stewart.

And be enacted and ordained, That the judges of the said elections shall within three days after the said election make their returns of election, and deposit their polls with the Register of the City of Baltimore, to be by him safe kept with the records of his office, whose duty it shall be to attend the First Branch of the City Council, and the electors of the Mayor and Second Branch of the City Council, with the said original returns and polls if required, and the same again to receive and deposit in his office. Returns to be made to the Register.
Register to attend the council &c.

And be it enacted and ordained, That the Register aforesaid neglecting to comply with the several duties herein directed, shall forfeit and pay the sum of twenty dollars for each and every neglect, for the use of the City.

Penalty for neglect.

Approved March 30, 1797.

No. 9.

An ordinance for the inspection of salted provisions imported into and exported from the City of Baltimore.

Whereas, frauds and impositions arise from the sale and exportation of salted provisions, and it is necessary that there should be regulations for the prevention thereof,

Preamble.

Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That all salted beef, pork and fish in barrels, brought or imported into the said city, from any part of this State, or any of the United States, or from any foreign port whatsoever, from and after the first day of May next, shall be made merchantable, sound and fit for use.

Salted beef &c., to be made merchantable.

And be it enacted and ordained, That a person of good repute, and skillful in the goodness, quality and well curing of salted beef, pork and fish of every kind, be nominated and appointed Inspector of Salted provisions, on or before the first day of May next, whose continuance in office shall be and remain during pleasure; and in case he shall deem it necessary or expedient, it shall and may be lawful for said Inspector, with the approbation and consent of the Mayor, to appoint a deputy, who shall have the same power, and be allowed the same fees as the said Inspector. Provided nevertheless, that it shall not be lawful for such deputy to enter upon the ex-

Inspector to be appointed.

Inspector to appoint a deputy.

execution of his office before he hath taken the oath or affirmation of office prescribed by this ordinance, and for whose conduct the said Inspector shall be answerable.

Deputy to take the oath, &c.

And be it enacted and ordained, That each and every barrel of salted beef, or pork, of the dimensions hereinafter mentioned shall contain at least two hundred pounds net weight, and the Inspector is hereby, directed to examine and pass all such beef and pork packed in such barrels, as shall appear to him to be merchantable, sound and fit for use, branding on each barrel the figures 200lb. And if any person or persons shall offer for inspection any barrel or barrels of beef or pork to be of the dimensions hereinafter mentioned, and containing in any barrel a less quantity than is hereby directed, he, she, or they shall forfeit and pay, if the deficiency be six pounds or under, the sum of ten cents for each and every pound so deficient; and for every pound over six pounds, twenty cents for each and every pound so deficient, to be applied for the use of the city; but the said Inspector may, and he is hereby, authorized and required to pass and brand all half barrels of beef and pork containing the quantity of one hundred pounds weight, branding each half barrel in figures, 100lb. And if any person or persons shall pack a less quantity of beef or pork in any of the half barrels as aforesaid, than one hundred pounds weight; he, she or they shall forfeit and pay the sum of twenty cents for every pound so deficient, to be applied for the use of the city.

Barrels to contain 200 net.

Penalty of deficiency.

Half barrels to contain 100 net.

Penalty for deficiency.

And whereas also, the quality of beef and pork exported from this city is often various, and it being proper to discriminate their respective qualities,

Be it enacted and ordained, That the Inspector aforesaid, is hereby ordered and required on inspection, as this ordinance directs, to brand all barrels and half barrels of beef and pork by him inspected, that shall be merchantable and sound either with

Beef &c., to be branded according to quality, &c.

the word first, second or third, according to the quality thereof ; that is to say : barrels and half barrels of the best quality, with the word first ; barrels and half barrels of the second quality, with the word second ; and all barrels and half barrels of other inferior quality, with the word third.

Barrels to be made of sound materials, &c.

Dimensions.

And be it enacted and ordained, That from and after the first day of May next, all beef, pork or fish barrels brought or imported into the City of Baltimore, from any part of this State, shall be made of good seasoned materials, well made, tightened with twelve hoops sufficiently nailed, with four nails in each chine hoop, and three nails in each upper bilge hoop, sufficient to hold pickle, and of the following dimensions, to wit : Beef and fish barrels to be twenty-eight inches the length of the stave, seventeen inches diameter the head, and twenty-one inches the bilge diameter from out to out ; all pork barrels to be twenty-eight inches long, seventeen inches and one-half of an inch diameter the head, and twenty-one inches and one-half of an inch bilge diameter from out to out, the cross to be cut not more than one inch and a quarter from the top of the stave, or less than an inch and one-eighth of an inch, the staves to be one-half of an inch thick, and may be made out of any well seasoned timber, (pine and cypress excepted,) sufficient to hold pickle, and the hoop one inch diameter at the small end, under the penalty of eight dollars, for the use of the city.

All beef, &c., for exportation, &c. to be submitted to the inspector for inspection.

If merchantable to be branded, &c.

And be it enacted and ordained, That all and every barrel or half barrel of beef, pork or fish brought to the said city for sale or exportation, shall be submitted to the view and examination of the Inspector, so as aforesaid nominated and appointed, who shall search and try the same by opening one of the heads and examining whether it be honestly and well packed, and also whether it be sound, good and of sufficient weight ; and if the said Inspector shall judge the same to be merchantable, according to the directions of this ordinance, he shall brand

every such barrel and half barrel on the quarter with the word Baltimore, with a public brand mark to be provided for that purpose, and also the word beef, pork or fish, as the case may be, for which trouble he, the said Inspector shall have and receive from the owner or owners of such beef or pork, seven cents, and for fish, five cents, for each and every cask so inspected, examined and branded by him, and no more; and upon every barrel or half barrel of beef, pork or fish, being imported or brought into the City of Baltimore, from any part of this State, or from part of the United States, or from any foreign port whatsoever, the importer shall, within forty-eight hours after the landing or delivery of the same, deliver to the Inspector, or to his deputy, a written report, ascertaining the number of casks, and the place wherein the same shall be deposited, under the penalty of one dollar for each and every cask imported as aforesaid, to be applied for the use of the city; and if the Inspector shall judge the same to be merchantable, he shall brand every such barrel on the quarter with the word Baltimore, in manner as aforesaid, and the word beef, pork or fish, as the case may be, as aforesaid.

Inspector's allowance.

Beef &c., branded.

To be reported, &c. to inspector.

Inspector to brand, &c.

And be it enacted and ordained, That no inspector shall brand any barrel or half barrel of beef, pork or fish which he may think unsound, or unmerchantable, according to the true intent and meaning of this ordinance, but shall cause the same to be marked on the bilge with the broad arrow, or secure it for a further examination if required, which examination the owner shall procure to be made within the space of four days; and the Inspector shall and may demand and receive from the owner or owners thereof, the same rates and prices as if the same had been branded.

Unsound beef, &c., to be marked with the broad arrow.

Or secured for further examination.

And be it enacted and ordained, That when any person shall think himself aggrieved through the judgment or want of skill of the said Inspector, in

Persons aggrieved may appeal.

rejecting the said salted provisions as unmerchantable or unsound, it shall and may be lawful for such person to apply to the Mayor or a justice of the peace, who shall at the charge of the complainant, issue his warrant, directed to three indifferent persons, well skilled in the goodness, quality and well curing of salted beef, pork and fish of every kind, to review and examine the same, which said three persons, so as aforesaid appointed, shall take the same oath or affirmation, as by this ordinance is hereinafter directed to be taken by every inspector of salted provisions, and shall carefully view and examine the same; and if they or any two of them shall pass and declare the same to be sound or merchantable, then and in such case, the said Inspector shall raise out the broad arrow, and put such brand on the said salted provisions as they or any two of them shall adjudge and determine, and this corporation shall repay to the said complainant the said costs: but if on such review the judgment of the said Inspector shall be confirmed, then in such case the said owner of such salted provisions shall pay the costs of such review.

Storage.

And be it enacted and ordained, That the corporation shall be allowed six cents per barrel for storage, if stored, and if upon an appeal and review as aforesaid, the judgment of the inspector shall be confirmed; the person appealing shall pay the expense of such storage, and shall also pay the same if an appeal shall not be prosecuted; and if the judgment of the said inspector shall be reversed, then the said corporation shall forfeit the charge and expense of the said storage.

Casks marked with the broad arrow, not to be exported.

And be it enacted and ordained, That it shall not be lawful for any person whatsoever to export, ship or lade on board of any ship or vessel for exportation out of this city, or the river Patapsco, any of the casks of the said salted provisions so marked with the broad arrow as aforesaid, or to sell, export, ship or lade on board of any ship or vessel for exportation any of

the casks of salted provisions not examined and branded as aforesaid, from out of this city or the river Patapsco, on pain of forfeiture of ten dollars for each and every barrel so exported, or laden on board of any ship or other vessel for exportation; nor shall it be lawful for any person or persons to purchase or sell, or offer to purchase or sell, in the city of Baltimore, or in the precincts thereof, any cask or casks of salted beef, pork or fish not previously inspected, examined or branded, under the penalty of ten dollars for each cask so sold or offered for sale, or purchased within the said city or precincts aforesaid, for the use of the said city.

Not to be exported until examined.

No person to purchase or sell any beef, &c., not previously inspected.

And be it enacted and ordained, That every inspector of salted provisions who shall be nominated and appointed as aforesaid shall, on his appointment, and before his executing the said office, make oath or affirmation, as the case may be, before the Mayor, that without fear, favor, affection, malice, partiality or respect of persons, he will diligently and carefully view, examine and inspect all salted beef, pork or fish brought to the said city of Baltimore, and which he shall be called upon to view, examine and inspect to the best of his skill and knowledge, and that no salted provisions shall be passed or branded by him without his viewing and examining the same; that he will not brand or cause to be branded any cask or casks of salted provisions that do not appear, to the best of his skill and knowledge, to be in all respects sufficiently clear, sweet and merchantable, and that he will pass and brand all such cask or casks of salted provisions as shall appear to him sufficiently clean, sweet and merchantable, to the best of his skill and knowledge, and according to the directions of this ordinance; and that he will not willingly or wittingly charge, ask, take, receive, exact or demand any other fees or rates for doing his duty in his office as inspector of salted provisions than is mentioned and directed by this ordinance; and that he will carefully and diligently view and examine all casks in which such salted provisions shall be brought and contained; and that he will

Oath of inspector

not pass or brand any cask or casks of salted provisions unless such cask or casks be of such size, goodness and thickness as by this ordinance is required.

No inspector to purchase condemned beef &c.

Penalty.

And be it enacted and ordained, That no inspector of salted provisions shall purchase, directly or indirectly, any salted beef, pork, or fish by him condemned as aforesaid, or any salted provisions whatsoever other than for his own family's use, under the penalty of ten dollars for each and every barrel by him so purchased.

Penalty on persons altering the inspector's brand, &c.

Or using one similiar thereto.

And be it enacted and ordained, That if any person shall alter the mark stamped on any barrel or half barrel of salted provisions by any inspector, or shall mark or brand any barrel or half barrel of salted provisions which hath not been inspected, with any mark or brand similar to or in imitation of the inspector's said mark or brand, or after the said inspector shall have passed any barrel or half barrel of salted provisions as merchantable, shall pack into the cask which contains the same, any other salted provisions, or after any barrel or half barrel of salted provisions shall be marked with the broad arrow, shall unpack and repack the same into other casks or packages for exportation or sale, such person shall forfeit and pay fifty dollars for every barrel or half barrel repacked as aforesaid, to be applied for the use of the city.

Inspector to give bond.

And be it enacted and ordained, That before the said inspector shall enter upon the execution of his office, he shall give bond, with security to be approved by the Mayor, to the Mayor and City Council of Baltimore in the sum of five hundred dollars, that he will diligently and carefully fulfil and perform all the duties required of him by this ordinance, and that he will well and faithfully pay all fines and forfeitures incurred by reason of this ordinance, in such manner and at such times as the corporation may hereafter direct; and he shall also take the

several oaths or affirmations to government appointed by law to be taken, and shall also subscribe a declaration of his belief in the Christian religion. To take the oaths, &c.

Approved March 30th, 1797.

No. 10.

An ordinance respecting the Night Watch and Lamps in the City of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That three persons of respectable character be nominated and appointed commissioners of the watch, and for lighting the city of Baltimore, who shall be authorized and empowered to employ for one year, commencing from the first day of April instant, as many captains and watchmen as have been employed in the night watch the year past, at such hire as may be reasonable, not exceeding the salaries and wages given the preceding year; taking such securities for their good behavior and prescribing such regulations and tours of duty from time to time as may appear to them, or any two of them, best calculated to insure the safety of the city. Commissioners to be appointed. To employ watchmen, &c.

And be it enacted and ordained, That the assistant justices of Baltimore county court receive the reports and superintend the conduct of the watch agreeably to the act of the General Assembly of Maryland, passed at November session, seventeen hundred and ninety-five, entitled, "A supplement to the act respecting the punishment of criminals." Assistant justices, &c., to receive reports.

And, whereas the justices of Baltimore county court contracted with a certain Jacob Lewis Betlinger for erecting three hundred and five lamps, and for the supplying the same with oil and lighting them until the first day of January next, Betlinger to comply with his contract.

Be it enacted and ordained, That the commissioners aforesaid take measures to cause the said contract to be complied with agreeably to the conditions thereof, and the true intent and meaning of the parties.

In case of his death, &c., commissioners to contract with others.

And be it enacted and ordained, That in case of the death or inability of the said Jacob Lewis Betlinger to fulfil and perform his said contract agreeably to the conditions thereof, then and in such case it shall and may be lawful for the said commissioners of the watch, and they are hereby, authorized and empowered to contract with any other person or persons for lighting the said city for the remainder of the term specified in such contract.

Additional lamps for the use of the city.

And be it enacted and ordained, That the said commissioners are hereby authorized and directed to contract with any person or persons for seven additional lamps for the use of the city; and they are hereby directed to cause three of the said lamps to be erected or suspended within the centre market house, two within the market house in Hanover street, and two within the market house on Fell's Point; and to cause the same to be regularly lighted in such manner as the other lamps are lighted within the city.

Approved, April 3d, 1797.

No. 11.

An ordinance to preserve the health of the city, and to prevent the introduction of pestilential and other infectious diseases into the same.

Preamble.

Whereas it is found necessary in all large cities, particularly those bordering on the seas, to establish such laws and regulations as may tend to preserve the health of the inhabitants. And whereas it is of the utmost importance to the commerce of this State, that the health, welfare and prosperity of this

city be preserved, and that the origin, introduction and spreading of pestilential and other infectious diseases, be prevented.

Therefore be it enacted and ordained by the Mayor and City Council of Baltimore, That nine persons be appointed Commissioners of Health, to aid and assist the health officer for the time being, in carrying the provisions of this ordinance into effect, and that the said commissioners shall have the direction and government of the hospital established on Hawkins' Point; shall be authorized, and they are hereby authorized and empowered to establish such rules and regulations for the government of the said hospital, as to them may appear proper and necessary; to contract with a suitable person to superintend the same, and for as many assistant physicians and nurses as circumstances may at any time render necessary; to provide medicine and all other articles which may be necessary for the comfort and accommodation of the sick; to provide for a ready communication between the hospital and Fort Whetstone Point or the city, and to do all other matters and things, which by this or any other ordinance they are or may be required to do.

Commissioners
to be appointed.

To have direction
of the hospital.

To make rules
and regulations,
&c.

To contract with
physicians, &c.

Be it enacted and ordained, That all ponds of stagnant water, all cellars and foundations of houses, whose bottoms contain stagnant and putrid water, all dead putrefied animals lying about the docks, streets, lanes, alleys, vacant lots or yards, all privies that have no wells sunk under them, all grave yards, tallow chandleries, tanneries, sugar boilers, skin dressers, dyers, glue boilers, and slaughter houses not properly regulated; all docks whose bottoms are alternately wet and dry by the ebbing and flowing of the tide, all accumulation of filth in the streets, lanes, alleys and gutters thereof, all accumulations of vegetable and animal substances, undergoing a putrefactive fermentation, are hereby declared common nuisances, productive of offensive

What are de-
clared nuisances

vapors and noxious exhalations, the causes of diseases, and ought to be restrained, regulated and removed.

Be it enacted and ordained, in order the more effectually to prevent the introduction of pestilential and other infectious diseases into the city, that at any time when the Mayor of the city shall receive satisfactory information of the existence of any pestilential or other fatal disease, in any place on the continent, with which the citizens of Baltimore may have communication or connection, the Mayor may and is hereby authorized to issue a proclamation, forbidding the entrance of all persons coming from such infected places into the city or within three miles thereof, and the citizens from having any communication with them, for at least fifteen days; provided he, she or they cannot produce an approved certificate of their absence from such place for at least fifteen days previous thereto; and every person wittingly and knowingly offending against the directions of the said proclamation shall forfeit and pay one hundred dollars for every such offence, one-half to the informer and the other half for the use of the city.

On information, &c., mayor to issue proclamation.

Certificate to be produced.

Health officers to visit vessels coming from infected places.

To perform quarantine, &c.

Health officer to make second visit, &c.

Be it enacted and ordained, That the health officer for the time being shall, and he is hereby, directed to visit all vessels coming from beyond the seas, and all other vessels coming from suspected places, in the months of April, May, June, July, August, September, October and November, and where it shall appear necessary, detain the same at or below the fort till he hath made two or more visits on board; and if it shall appear to such health officer that a further detention be necessary, he shall oblige the same to perform a quarantine not exceeding twenty days, and in all such cases the health officer shall give a certificate to the captain or master of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine, and at or before the end of each quarantine the health officer

is hereby enjoined to make a second visit to the said vessel; and should it appear to him that a further quarantine is necessary, he is hereby authorized to enjoin the same for any number of days not exceeding ten.

A further quarantine if necessary.

Be it enacted and ordained, That if the master or other person having charge of any vessel bound to the port of Baltimore, having on board any person or persons disordered with any contagious disease, or coming from any sickly port or place without a clean bill of health, shall bring his vessel or suffer or permit the same to be brought nearer to the port of Baltimore than Hawkins' point, or shall land or bring on shore, or cause or suffer to be landed or brought on shore, any such infected persons, or any part or parcel of their goods or effects, or any other goods, until he has obtained a license or permit so to do from the health officer or his assistant, such master or any other person having charge of such vessel shall forfeit and pay for every such offence the sum of one thousand dollars, for the use of the city.

Vessels having on board any infected persons not to come nearer the city than Hawkins' point &c.

No infected person, &c., to be landed without license.

Penalty on offenders.

Be it enacted and ordained, That if any master or other person having command of any vessel at the time of inquiry by the aforesaid health officer or his assistant shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a just and true discovery to the said health officer or his assistant of the sickly and disordered state of all and every person on board, from the time the said vessel departed from the port or place from whence she last sailed to the time of said inquiry, and of all other particulars necessary for the said health officer or his assistant to know, respecting the premises, such master, or other person having command of such vessel, shall forfeit and pay for every such offence the sum of three hundred dollars, for the use of the city.

Penalty on persons concealing infected persons &c.

Be it enacted and ordained, That during the detention of any vessel at or below the fort, by the health

officer, or during the time of her being ordered to perform quarantine by him, it shall not be lawful for any person on board such vessel to come on shore and have communication with any person, or for any person to go on board such vessel without the permission of the health officer in writing; every person offending against the provisions of this clause shall forfeit and pay the sum of twenty dollars, to be applied for the use of the city.

No person to go on board any vessel while performing quarantine.

Penalty.

Penalty on pilots conducting vessels above Hawkins' point having on board above thirty persons passengers or servants.

Pilot disqualified.

Penalty on pilots concealing infected persons from the health officer.

Pilot disqualified.

Commissioners to watch over the health of the city.

To meet at the court house to receive information,

And be it enacted and ordained, That if any pilot shall conduct any vessel above Hawkins' point, having on board above thirty persons, being passengers or servants, (and it is hereby declared to be the duty of each pilot to make due inquiry thereof,) such pilot shall forfeit and pay one hundred dollars for the use of the City, and if any pilot shall have knowledge that there is on board any vessel that he undertakes to pilot, any persons distempered with the plague, or any malignant contagious disease, and it is hereby declared to be his duty to make due inquiry thereof, and shall pilot such vessel above Hawkins' point, he shall forfeit one hundred dollars for the use of the City; and such pilot shall be disqualified to act as pilot for one year; and if any pilot shall have knowledge that there is on board any vessel that he undertakes to pilot, any person distempered as aforesaid, and it is declared to be his duty to make due inquiry thereof, and shall conceal the same from the aforesaid health officer or his assistant, such pilot shall forfeit one hundred dollars, for the use of the City, and such pilot shall be disqualified to act as pilot for one year.

And be it enacted and ordained, That the Commissioners of Health shall watch over the health of the City; and aid and assist the health officer in the discharge of his duty, and carry into effect the provisions of this ordinance, and shall meet at the Court House or some other place in the said City, on the first Monday in the months of May, June, July, August, September, October and No-

member, or as often as occasion may require for the purposes aforesaid, collect and receive every possible information of the healthiness of the same; and the health officer is hereby required then and there to meet them, with such evidences of facts relative to his appointment, as may have come to his knowledge; and the said Commissioners of Health shall give all necessary assistance to the health officer in the execution of his duty, cause all persons actually laboring under infectious diseases, (and not otherwise provided for) to be removed to the hospital on Hawkins' point, or elsewhere, distant from the City at least three miles, and provide for the infected such meats, drinks, bedding, and clothing as may be absolutely necessary or ordered by the health officer, and with the advice of the health officer, or other practicing physician or physicians, whom they may consult, may take such further measures in discharging the trust confided to them, as may appear reasonable and proper.

Health officers
to meet commis-
sioners, &c.

Commissioners
to assist health
officer.

Infected persons
to be removed to
the hospital.

Be it enacted and ordained, that the health officer or the Commissioners of Health shall be, and they are hereby, authorized to prevent the landing of any damaged hides, damaged coffee or other damaged goods from on board any vessel whatever, on any wharf in the City, or within three miles thereof, which in their judgment would endanger the health of the inhabitants. And every person wittingly and knowingly landing any of the same articles, contrary to the provision aforesaid, shall forfeit and pay for every such offence one hundred dollars, half to the informer and the other half for the use of the City.

Damaged hides,
&c., not to be
landed, &c.

Be it enacted and ordained, That the Commissioners of Health may appoint a clerk, and allow him a reasonable compensation for his services, who shall keep fair minutes of their proceedings, and all necessary expenses incurred by them in the discharge of the duties herein required, which shall be defrayed by the corporation.

Commissioners
to employ a
clerk.

Approved April 7, 1797.

No. 12.

An ordinance to regulate the riding and driving of horses and carriages through the City of Baltimore.

Preamble.

Whereas, frequent accidents have happened by the carelessness or perverseness of the drivers of carriages and horses in and through the streets, lanes and alleys of the City of Baltimore; for remedy and prevention thereof—

Drivers of carriages, &c., to take the right hand side of the street, &c.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of May next, all and every the driver and drivers of all coaches, chariots, caravans, wagons, phaetons, chaises, chairs, solos, sleighs, carts, drays and other carriages of burthen and pleasure, driving and passing in and through the streets, lanes or alleys of the City of Baltimore, when there is room sufficient for two to pass, shall keep on that side of the street, lane or alley, on his or their right hands respectively, in the passing direction.

Penalty on persons driving in the middle of the street, &c.

And be it enacted and ordained, That if any driver of any such carriage shall drive his said carriage in the middle of the street, or on the side of the way on his left hand, so as to prevent or obstruct an other carriage from passing as aforesaid, every driver so offending shall forfeit and pay for every such offence, the sum of one dollar, for the use of the City.

No carriage to enter any street to obstruct another having entered in an opposite direction.

And be it enacted and ordained, That whenever any such carriage as aforesaid, shall have entered any street, lane or alley in the City, where there is not room sufficient between the posts or curbstones for two such carriages to pass, no other such carriage shall enter the same street, lane or alley, in an opposite direction, to hinder or obstruct the passage of the first so entered, but shall remain in an adjacent street until the first shall with all diligence have passed through; and if any driver or other

person shall offend in such case, so as to hinder the passage of the first carriage, which shall have so entered, he shall forfeit and pay for every such offence the sum of one dollar, for the use of the City. Penalty.

And be it enacted and ordained, That no person whatsoever, shall sit or stand in or upon any such carriage, or on any horse or beast harnessed thereto, in order to drive the same, unless he shall have strong reins or lines fastened to the bridles of his beasts, and held in his hands, sufficient to guide them in manner aforesaid, and restrain them from running, galloping or going at immoderate rates through the said streets, lanes or alleys; and that no person whatsoever, driving any such carriage or riding upon any horse, mare, gelding or other beast or beasts, in or through the said City, shall permit or suffer the beast or beasts he shall so ride or drive to go in a gallop or other immoderate gait, so as to endanger persons standing or walking in the streets, lanes or alleys thereof. Drivers of carriages, &c., to have strong reins, &c.

And that all porters, carters, and other persons having the care of any such carriage passing through the said City, who shall not hold reins in their hands to guide and restrain their beasts, in manner aforesaid, shall walk by the head of the shaft or wheel horse, holding or within reach of the bridle or halter of the said horse, in order to guide or restrain them in manner aforesaid; and that every person wilfully or negligently offending in any or either of the cases aforesaid, shall forfeit and pay for every such offence, the sum of one dollar, for the use of the City. No person to gallop, &c., through the streets.

Traffic

Drivers of carriages, &c., to walk at the head of the shaft horse, &c.

Penalty for neglect, &c.

And be it enacted and ordained, That no sleigh, sled or carriage of pleasure or burthen, going upon runners, shall be permitted to go or pass through the streets, lanes or alleys of the City, unless one or more bell or bells be fixed to the head of the horse or horses drawing the same, in order to give notice of their approach, under the penalty of forfeiting for every such offence, the sum of one dollar, for the use of the City. And the City Commis- Horses in sleighs, &c., to have one or more bells, &c.

City commis-
sioners to ap-
point stands for
drays, &c.

sioners are hereby authorized and required, on or before the first day of May next, and from time to time thereafter, as occasion may require, to appoint such and so many stands, for so many drays, carts and carriages of pleasure, for hire within the City, as to them shall appear requisite; to some one or other of which stands so to be appointed, all draymen, carters and drivers of such carriages may repair with their horses, carts, drays and carriages when unemployed; and if any drayman, carter or driver of such carriage, when unemployed, shall stand with his dray, cart or carriage aforesaid, in the street, and occupy the same, at any other place than the stand to be appointed, for the space of one hour, he shall forfeit and pay for every such offence one dollar, for the use of the City.

Draymen to re-
pair to stands,
&c.

Penalty for ne-
glect or refusal.

Draymen, &c.,
to place their
drays, &c.,
lengthways
close to the curb
stones, &c.

Be it enacted and ordained, That each and every drayman, carter and driver of any carriage of pleasure for hire, shall place his horse and dray, cart or carriage, aforesaid, lengthwise, close to the posts or curb-stones, in the streets in which the same shall stand, and that no more than one range of drays, carts or carriages aforesaid, shall stand in streets not more than fifty feet wide, and not more than one range on each side, in streets which are of a greater width.

Wagons, &c.,
not to stop at the
intersection of
streets, &c., to
obstruct foot
passengers, &c.

And be it enacted and ordained, That if any waggoner, carter, drayman or other driver of any carriage, sled or sleigh, for pleasure or burthen, shall stop or place any such carriage, sled or sleigh, at or near the intersection of any street, lane or alley, in such manner as to cross the foot way, or prevent any foot passenger from crossing the street, lane or alley, in the direction and line of the foot way, on the side of such street, lane or alley, and shall not immediately on the request of any foot passenger, cause the same to be removed, or shall be absent therefrom, so that such request cannot be made, every person so offending, shall forfeit and pay for every such offence, the sum of one dollar, for the use of the city.

Penalty.

And be it enacted and ordained, That no person shall place or wheel any wheel-barrow along any of the foot ways of the streets, lanes and alleys of the City under the penalty of one dollar, for the use of the City, provided that nothing in this clause should be construed to prevent any person from using the said wheel-barrow in removing any articles of merchandise, wood or other materials, necessary for building or family use, across the said foot-ways.

No wheelbarrow to go on the foot-way.

Except to remove merchandise, &c.

And be it enacted and ordained, That it shall not be lawful for any person or persons to turn any horse, mare or gelding loose within the City of Baltimore, or to drive such horse, mare or gelding through any of the streets, lanes or alleys of the said city, under the penalty of one dollar for each and every offence, for the use of the said city.

No person to turn a horse loose within the city of Baltimore.

Penalty for every offence.

Approved April 10th, 1797.

No. 13.

An ordinance to prevent the exportation of Flour not merchantable, and for other purposes therein mentioned.

Whereas, flour has become the great staple of the State of Maryland, and a principal article of exportation from the City of Baltimore, and it is highly important to establish its reputation by every wise and prudent measure: therefore,

Preamble.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That two persons of good repute, and skill in the goodness and quality of flour, shall be nominated and appointed inspectors of flour within the said city, which shall be divided into two districts, to wit: From the west side of Light street and St. Paul's lane, to the limits of the said city, westward, inclusive. And the eastern district, to wit: From the west side of Light

Two inspectors to be appointed.

City divided into districts.

Inspectors to exchange districts alternately.

street and St. Paul's lane, eastward, to the limits aforesaid, inclusive; and the said inspectors shall change their districts on the first day of every month, alternately; that is to say the inspector who shall be appointed for the western district in the first instance, shall, on the first day of the ensuing month from the time of such appointment, take the eastern district, shall in like manner take the western district, and so on alternately every month.

Inspectors to keep an account of the number of barrels inspected.

To make returns thereof quarterly to the mayor.

Who is to publish them.

And be it enacted and ordained, That the said inspectors shall keep an exact account of the number of barrels of flour by them respectively inspected; and once in every three months make a return thereof on oath or affirmation to the Mayor of the said city, who is hereby directed to publish the same in one or more of the newspapers of the city, once in every three months.

Flour brought to the city, &c., to be made merchantable, &c.

Penalty for false packing.

And be it enacted and ordained, That all bolted wheat flour, and every cask thereof brought to the said city for sale or exportation, from and after the first day of July next, shall by the manufacturers thereof, be made merchantable, and of due fineness, without any false packing or mixture of coarser or other flour, or meal, under the penalty of ten dollars for each barrel or half barrel so falsely packed or mixed with coarser or other flour or meal, for the use of the city.

Casks to be made of good seasoned materials, &c.

Dimensions.

And be it enacted and ordained, That from and after the first day of July next, all casks containing flour brought to the City of Baltimore for sale or exportation, shall be well made of good seasoned materials, and tightened with ten hoops sufficiently nailed, with four nails in each chine hoop, and three nails in each upper bilge hoop, and of the following dimensions: viz: the staves of all barrels to be of the length of twenty-seven inches, and the diameter at the head to be seventeen inches; the staves of all half barrels to be twenty-three inches in length, and the diameter at the head to be thirteen

inches and a half; that every miller and bolter of flour, for sale or exportation out of the City of Baltimore, shall provide and have a distinguished brand mark, of strong impression, and such as cannot easily be erased, with which he shall brand each and every cask of flour before the same shall be removed from the place where the same was manufactured, with the name of the mill at full length, or the initials of the proprietor's or renter's christian name, with the surname at full length; and every miller or bolter shall also brand every cask of flour according to the respective diameters above specified; and the said Inspectors are hereby directed not to inspect any cask of flour which is not prepared agreeably to the directions of this ordinance.

Miller, &c. to have a brand mark.

To brand casks, &c.

And be it enacted and ordained, That the said miller or bolter shall put into all barrels the full quantity or weight of one hundred and ninety-six pounds of flour; and into all half barrels the full quantity or weight of ninety-eight pounds of flour; and that if any miller or bolter shall pack any cask with a less quantity of flour than is by this ordinance directed to be contained in the casks of the different sizes and dimensions above mentioned, he shall forfeit, if the deficiency be one pound, ten cents, if two pounds, fifteen cents per pound; and for every pound deficient above two, twenty-five cents.

The quantity to be put in each cask, &c.

Penalty for deficiency.

And be it enacted and ordained, That all and every cask of flour brought to the said City for sale or exportation shall be submitted to the view and examination of the Inspectors, so as aforesaid, to be nominated and appointed, who shall search and try the same by boring the head, and piercing it through with an instrument, not exceeding five-eighths of an inch diameter within, to be by him provided for that purpose, and shall afterwards plug up the hole with a round plug, made of any kind of soft wood, so as to prevent the entrance of water therein; and if the said Inspector shall judge the

Flour to be submitted to the view of inspector, &c.

Inspector to try the same by boring.

same to be merchantable, according to the directions of this ordinance, he shall brand every such cask of flour on the quarter with the word Baltimore, with a public brand mark, to be by him provided for that purpose, and shall also brand and mark the degree of fineness, which he shall on inspection determine the said flour to be of, in letters of three-fourths of an inch in length, which degree shall be distinguished as follows: to wit: Superfine, and fine, for which trouble, he the said Inspector, shall have and receive of the owner of such flour one cent and one-half cent, for each cask, and no more. And any cask of flour, which shall prove, on examination thereof, to be unmerchantable, according to the true intent and meaning of this ordinance, the said Inspector shall brand on the quarter, with the word Middlings, in letters of the size aforesaid, or cause to be marked on the quarter with a broad arrow, with marking irons, as he shall judge proper, or secured for further examination if required, which examination the owner shall procure to be made within the space of four days thereafter; and the Inspector shall and may demand and receive, from the owner, or owners thereof, the same rates and prices, as if the same had been branded or passed.

Inspector to brand with the word Baltimore.

The degree of fineness.

Inspector's allowance.

Flour not merchantable to be branded with the word Middlings.

Or marked with the broad arrow.

Or secured for further examination.

Persons aggrieved may appeal.

Warrant to issue, &c.

And be it enacted and ordained, That when any person shall think himself aggrieved by the judgment of the said Inspector, in rejecting the said flour as unmerchantable, it shall and may be lawful for such person to apply to the Mayor, or a justice of the peace, who shall, at the charge of the complainant, issue his warrant, directed to three indifferent persons, well skilled in the manufacture of flour, to review and examine the same; which said three persons, so as aforesaid appointed, shall carefully view and examine the same, and if they, or any two of them, shall pass and declare the same to be merchantable, then, and in such case, the said Inspector shall erase out the brand or broad arrow, and put such brand on the said flour as they, or any two of them shall adjudge and determine, and the

corporation shall pay the said costs ; but if on such review the judgment of the said Inspector shall be confirmed, then, and in such case, the said owner of such flour shall pay the cost of such review.

And be it enacted and ordained, That there shall be allowed four cents per barrel for storage, if stored ; and if upon an appeal and review as aforesaid, the judgment of the Inspector shall be confirmed, the person appealing shall pay the expense of such storage, and shall also pay the same if an appeal shall not be prosecuted ; and if the judgment of the said Inspector shall be reversed, then the corporation shall pay the charge and expense of the said storage.

And be it enacted and ordained, That the said reviewers, for their trouble, shall and may receive the sum of three cents for each and every barrel by them reviewed.

And be it enacted and ordained, That it shall not be lawful for any person whomsoever, to export, ship or lade on board any ship or vessel, for exportation, any of the casks or barrels of the said flour not examined and branded as aforesaid, from the port of Baltimore, on pain of ten dollars for each and every barrel or half barrel so exported or laden on board of any ship or other vessel for exportation, one-half to the informer and the other half for the use of the City.

And be it enacted and ordained, That every Inspector of flour, who shall be nominated as aforesaid, shall on his appointment and before his executing the said office, make oath or affirmation, before the Mayor, that without fear, favor, affection, malice, partiality or respect to persons he will diligently and carefully view, examine and inspect all flour brought to the said City of Baltimore, and which he shall be called upon within his district

to view, examine and inspect, to the best of his skill and knowledge, and that no flour shall be passed or branded by him without his viewing and examining the same; that he will not brand, or cause to be branded, any cask or casks of flour that do not appear to the best of his skill and knowledge to be in all respects sufficiently clean, sweet and merchantable, and that he will pass and brand all such cask or casks of flour, as shall appear to him sufficiently clean, sweet and merchantable, according to the degree thereof, to the best of his skill and knowledge, and according to the direction of this ordinance; and that he will not wittingly or willingly charge, ask, take, receive or demand any other or larger fees or rates, for doing his duty in his office, as inspector of flour, than is mentioned and directed by this ordinance; and that he will carefully and diligently view and examine all casks in which such flour shall be brought and contained; and that he will not pass or brand any cask or casks of flour, unless such cask or casks be of such size, goodness and dimensions as by this ordinance is required; which said oath or affirmation shall be subscribed by the said Inspector, and by the said Mayor be delivered to the Register of the City for safe keeping.

No inspector to purchase flour, &c., except for family use.

And be it enacted and ordained, That no inspector of flour shall purchase, directly or indirectly, any flour by him condemned as aforesaid, or any flour whatsoever other than for his own family's use, under the penalty of ten dollars for each barrel or half barrel by him purchased, one-half to the informer and the other half for the use of the city.

Penalty on persons altering the marks, &c.

And be it enacted and ordained, That if any person or persons shall alter the mark or brand made on any barrel of flour by any inspector, or shall mark or brand any barrel of flour which hath not been inspected, with any mark or brand similar to or in imitation of the inspector's said mark or brand, or after the said inspector shall have passed any

barrel of flour as merchantable, shall pack into the cask which contained the same, any other flour, or after any barrel of flour shall be branded or marked with a broad arrow shall unpack and repack into other casks or packages for sale or exportation, such person shall forfeit and pay the sum of fifty dollars for every such cask, one-half to the informer and the other half for the use of the city.

And, whereas it may sometimes happen that, by reason of a great quantity of flour being brought at once to the city of Baltimore, the persons who shall be appointed inspectors of flour cannot with sufficient dispatch inspect and brand all such flour ;

Be it enacted and ordained, That the persons chosen and appointed inspectors of flour, or either of them, shall or may, with the approbation of the Mayor, in such case only, or in cases of sickness, employ one or more persons of good repute and well qualified for such service, as assistants to aid them in the execution of said office, and such assistants, after taking the oath or affirmation prescribed to be taken by the inspectors of flour, are hereby authorized to inspect and brand any casks of flour in the city of Baltimore as the inspectors themselves might do, and for whose conduct the said inspectors shall be responsible.

Inspectors may
appoint deputies,
&c.

And be it enacted and ordained, That before any of the said inspectors shall enter upon the execution of their offices, they shall each give bond with security to be approved of by the Mayor, to the Mayor and City Council of Baltimore, in the sum of two thousand dollars, to be recovered on forfeiture for the use of the city ; and also take the several oaths appointed by law to be taken.

To give bond,
&c.

Approved April 10th, 1797.

No. 14.

An ordinance to appoint City Commissioners.

Preamble.

Whereas, it appears that the appointment of city commissioners within the city of Baltimore would promote the general good of the inhabitants thereof.

City Commissioners to be appointed.

Be it, therefore, enacted and ordained by the Mayor and City Council of Baltimore, That five persons of known integrity, discretion and knowledge be nominated and appointed city commissioners within the said city, to do and perform all and every thing required by this or any other ordinance.

Commissioners to meet at the court-house, &c.

And be it enacted and ordained, That the said city commissioners, or a majority of them, on the first and third Mondays in every month, at the court house in said city, in the first instance, and at such other place and times as they may appoint, shall meet and consult together (the place, day and hour of which meetings public notice shall be given,) respecting what streets or parts of streets, lanes or alleys are or ought to be paved, respecting the best and cheapest mode, method and manner of paving the same, and for all other purposes which may require their attendance in any manner whatsoever for leveling, pitching, paving or repairing the same, or for mending, making or repairing the common sewers or conduits already made or which may hereafter be made within the said city and precincts for discharging and carrying of the water into the basin or river, and to contract with any person or persons for all the materials for the purpose aforesaid, and with such and as many workmen or laborers as they may judge necessary to be employed from time to time in and about the same, and to agree, execute and perform every other act, matter and thing which to them shall appear necessary for the full discharge of all the duties required by this ordinance.

To contract with persons, &c.

Streets to be paved.

And be it enacted and ordained, That in every street, lane or alley which shall be hereafter paved

within the said city, the outer edge of the foot-way thereof shall be secured by good and sufficient curb-stones, instead of posts, and that the foot-way on each side of every street, lane or alley be one-fifth of the width of such street, lane or alley.

Curb-stones instead of posts.

And be it enacted and ordained, That the said city commissioners shall have full power and authority to enter upon the lots, grounds and possessions of any person or persons, bodies politic and corporate through which the common sewers now or may hereafter run or ought to run, to regulate, make or repair the same; provided, that no common sewer or water course hereafter to be made and laid out, shall be regulated so as to run through any lot of ground belonging to any private person or persons, body politic or corporate, unless the same shall be agreed to and approved of by a majority of the said city commissioners; and in every such case the damages sustained by reason thereof by such owner or owners, body politic or corporate shall be valued and ascertained by two persons indifferently chosen, one by the said city commissioners and the other by the owner or owners thereof, with a power in the said arbitrators to call in an umpire, whose award shall be final; and the damages so assessed and ascertained shall be paid to the owner or owners so aggrieved, out of the monies in the possession of the said corporation.

Commissioners to enter upon lots, &c., make and repair sewers, &c.

Damages, if any, to be ascertained by arbitrators.

To be paid by corporation, &c.

And be it enacted and ordained, That if any person or persons shall wilfully stop up or obstruct the passage of the water of any of the common sewers made or which may hereafter be made, he, she or they so offending against this ordinance shall forfeit and pay the sum of one hundred dollars for every such offence, to be applied as the corporation may hereafter direct.

Penalty on persons obstructing the common sewers, &c.

And be it enacted and ordained, That the said city commissioners are hereby empowered and required to enter upon the paving of the whole or such parts of the streets, lanes and alleys within the

Commissioners to enter upon the paving of the streets, &c.

If a majority of the proprietors, &c., require it, &c.

said city as soon as conveniently may be after their appointment aforesaid as may appear to them will promote the general advantage and prosperity of the said city; provided, that the said commissioners may from time to time proceed to the paving of such streets, lanes and alleys only, as a majority of the proprietors and tenants inhabiting thereon shall require, giving a preference to such as shall in their judgment be of most importance.

Three commissioners a board, &c.

And be it enacted and ordained, That the said city commissioners, or any three or more of them, be, and are hereby, authorized and empowered to execute the several trusts and duties required of them by this ordinance; and in case of death, resignation or removal from the said city, such vacancy shall be filled up in such manner as is directed by the act of incorporation.

Oath.

And be it enacted and ordained, That before any of the said city commissioners shall enter upon the trusts and duties required of them by this ordinance, he or they shall take the following oath or affirmation, as the case may be:—I, A. B., do swear, (or affirm) that I will faithfully discharge the duties required of me as a commissioner of the city of Baltimore to the best of my knowledge and ability, without favor, affection or partiality.

Compensation by ordinance.

And be it enacted and ordained, That the said city commissioners shall be entitled to receive such compensation for their services as shall be hereafter directed by ordinance.

Commissioners to employ a clerk.

Proceedings to be returned to register.

And be it enacted and ordained, That the said city commissioners shall, and they are hereby, empowered to employ a clerk, and shall keep a fair journal of all their proceedings as far as relates to the leveling and paving of the streets, lanes and alleys, and return the same, under their hands at least once in every three months, to the register of the said city, to be by him safe kept and filed in his office.

And be it enacted and ordained, That the said city commissioners have full power and authority, and they are hereby authorized and required, as often as they shall be applied to by any inhabitant of the said city or other person requiring the same, to ascertain and fix the lines of any of the streets, lanes and alleys, or any boundary of any of the lots within the said city; and having so fixed and established the same, to put up stones or land marks, to be provided for that purpose by the person or persons requiring the same to be done, at such place or spot so established by them, and to make return thereof in writing of such establishment, with the proper description thereof, under their hands and seals to the register of the said city, who shall immediately record the same in a book to be provided for that purpose, and shall file and keep the original record or paper so returned as aforesaid in his office.

City Commissioners to fix boundaries, &c.

To put up stones or landmarks, &c.

Returns to be made to the register, &c.

And be it enacted and ordained, That the said city commissioners shall have full power and authority, and they are hereby authorized and directed, when called on by an inhabitant of the said city or other person requiring their attendance, to regulate all party walls and partition fences within the said city in such manner as may in their judgment and opinion be most likely to promote equal justice between the parties concerned, and shall immediately thereafter make return of every such proceeding under their hands and seals to the register of the said city, to be recorded and kept with every paper and voucher relative thereto, in such manner as before directed.

City commissioners to regulate party walls, &c.

Returns to be made to the register, &c.

And be it enacted and ordained, That when, and as often as the said city commissioners shall meet to fix and establish any street, lane or alley, or to fix and establish any boundary of any lot within the said city, or to regulate any party wall or partition fence within the same, they shall, and they are hereby, required to give at least three days' notice in some of the newspapers of the said city of such

Commissioners to give notice, &c.

intention, specifying the time when and place where they are to meet together, with the intention of such meeting, and shall, before they fix and establish any of the streets, lanes or alleys aforesaid, or any boundary of any of the lots within the said city, or regulate any party wall or partition fence as aforesaid, obtain and acquire the best information on oath or affirmation the case will admit of, which evidence, with every voucher and paper relating thereto, shall be returned with their certificate aforesaid, to be recorded as aforesaid; and they are hereby authorized and required to use all lawful means to procure the same.

To acquire the best information on oath, &c.

Proceedings to be returned to the Register, &c.

Powers of commissioners of Baltimore-Town vested in city commissioners &c.

And be it enacted and ordained, That all the power over the said streets, lanes and alleys, lines and boundaries of lots within the said city heretofore granted to the commissioners of Baltimore town be, and is hereby, transferred to and vested in the said city commissioners.

City commissioners to receive 7s. 6d for the use of the city.

And be it enacted and ordained, That each of the said commissioners shall receive for the use of the city from the person or persons requiring their services the sum of one dollar for each and every day they shall attend in virtue of this ordinance.

Continuance.

And be it enacted and ordained, That this ordinance be in force and continue until the first day of January, in the year seventeen hundred and ninety-eight, and until the end of the next session of the corporation that shall happen thereafter.

Approved April 10th, 1797.

No. 15.

An ordinance to prevent and remove nuisances in the City of Baltimore, and within the precincts thereof, and to provide an uniform mode for cleaning the streets, lanes and alleys within the said city.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the inhabitants

and occupiers of houses and lots, and sextons, porters or other keepers of churches, meeting-houses or other public buildings, or burying grounds, fronting the paved streets, lanes or alleys within the said city, shall rake and sweep into the cart-way, the dirt, soil, or filth to be found on the brick pavements, foot-ways and gutters before their respective houses, lots, dwellings or public buildings, or cause the same to be done once in every week, that is to say on every Friday, by ten o'clock in the forenoon (when the snow or ice on the same does not prevent) that it may be removed as is hereinafter provided, under the penalty of any sum not exceeding one dollar for every neglect or refusal, for the use of the city.

Inhabitants, &c.
to sweep the
footway, &c.

And be it enacted and ordained, That no person or persons whomsoever shall cast or lay, or cause to be cast or laid, any oyster shells, shavings, ashes, dirt or stable manure on any of the streets, lanes or alleys of the said city, (unless the same be placed or laid in front of his, her or their lot, and removed within two hours,) under the penalty of two dollars for every such offence, for the use of the city.

No person to
throw oyster
shells, &c., on
any of the sts.

Unless in front
of their own
lots, &c.
Penalty.

And be it enacted and ordained, That no person shall cast, place or throw down any rubbish, dirt or materials for building in any public street, lane or alley of the said city, save only in such parts and places as shall be appointed and agreed on by the persons duly authorized therefor under the penalty of one dollar, for the use of the city, for every two hours after notice to remove the same. Provided, that nothing in this ordinance shall be construed to extend to any person or persons employed in building or repairing any house, houses or tenements, so far as shall relate to materials necessarily used in making such building or repairs; but the said person or persons engaged as aforesaid, may use and occupy one third part in width of any street, lane or alley, clear of the foot-way in front of any lot on which such building is erecting, or repair making,

Penalty on persons
throwing
rubbish in the
streets, &c.

Not to extend to
persons build-
ing, &c.

until the same shall be covered in, and twenty days thereafter, and no longer, nor to any person or persons engaged in plastering his, her or their house or houses, but such person or persons shall have a right to use and occupy with plastering, mortar or other materials necessary therefor, one third of any street, lane or alley in front of his, her or their lot or lots, sixty days, and no longer, without the permission of the City Commissioners, under the penalty of one dollar for every two hours, for the use of the city; nor shall the provisions of this ordinance extend to any person or persons dropping fire wood or stone coal at his, her or their door, provided the foot-way be not incommoded therewith, or by the sawing or cutting of said wood, and the said fire wood or stone coal be removed within two days after the same shall be dropped as aforesaid, under the penalty of one dollar for every day thereafter, for the use of the city.

Not to extend to persons dropping wood, &c.

Foot way not to be encumbered.

And be it enacted and ordained, That if any person or persons whomsoever, shall set or place any goods, wares or merchandise, by way of exposing them to sale, on or over the brick or stone pavement, in any public street, lane or alley in this city, to project more than twelve inches from the wall of his, her or their house or store, every such person shall pay a fine of one dollar, for the use of the city: Provided, that this clause shall not extend to, or interfere with any regulation in the ordinance concerning the markets, nor extend to goods sold at public auction.

No person to expose for sale any goods, &c., on the stone pavement, &c.

Penalty.

And be it enacted and ordained, That any person who shall place or pile any empty boxes, barrels, hogsheads or other conveniency, capable of containing goods or merchandise, or that may have contained goods or merchandise, in any part of the streets, lanes or alleys of this city, (except as is before excepted,) and shall not remove them from the same within four hours after they shall have so been placed or piled there, every such person shall pay

Penalty on persons placing hogsheads, &c., on the streets, &c.

a fine of one dollar for every four hours the same shall thereafter be suffered so to remain, for the use of the city.

And be it enacted and ordained, That if any tanner, currier, distiller, brewer, soap boiler, tallow chandler, hatter, dyer, glue boiler, or any other person within the said city, shall discharge any foul or nauseous liquor, or offal, from any still-house, workshop, or yard, so that such liquor or offal shall pass into or along any of the streets, lanes or alleys of the said city; or if any soap boiler or tallow chandler shall keep, collect or use, or cause to be kept, collected or used in any part of the said city, any stale, putrid or stinking fat, grease or other offensive matter: or if any butcher shall keep at or near his slaughter house, any garbage or filth whatsoever, so as to annoy any neighbor, or any person whomsoever, he, she or they shall forfeit and pay, for every such offence, the sum of five dollars, and shall also forfeit and pay the like sum for every day the same shall be suffered so to remain, for the use of the city.

Tanners, &c.,
not to discharge
nauseous liquor
in the streets,
&c.

Soap boilers, &c.
not to keep
stinking fat, &c.
in the city.

No butcher to
keep at his
slaughter-house
any offal, &c.

Penalty.

And be it enacted and ordained, That if any person or persons having a hog or hogs within their enclosures in sties, shall keep the same in such manner that the stench and filth thereof shall become offensive to, and annoy any neighbor or person whomsoever, the person or persons so keeping his or their hog or hogs as aforesaid, shall forfeit and pay for every such offence, one dollar, and shall also forfeit and pay the like sum for every day the same shall be suffered so to continue, for the use of the city.

Hog-stys to be
kept clear of
filth, &c.

And be it enacted and ordained, That no person or persons whomsoever, shall cast, carry, draw out or suffer to lay any dead horse or other dead carcase, or any excrement or filth from vaults, privies or necessary houses in any part of the said city, precincts or harbor of Baltimore; any person

Dead carcasses,
or excrement
from privies,
&c., not to be
thrown in the
city.

Penalty. or persons offending herein, shall forfeit and pay five dollars for every such offence, together with the expense of removing the same, for the use of the city.

Commissioners to remove filth. And be it enacted and ordained, That the City Commissioners shall on the Friday or Saturday of every week, have the dirt and filth found on any of the paved streets, lanes or alleys of the said city, removed therefrom, and deposited in such place or places as may for that purpose be by them provided; which dirt or filth shall afterwards be disposed of in such manner and upon such terms as the said Commissioners shall from time to time direct and appoint: Provided, nevertheless, that the said Commissioners may permit any person or persons to collect and carry away the said dirt and filth, or may contract with any person or persons for the removal of the same, or any part thereof, so that the same be removed on the Friday or Saturday of each week as aforesaid, under the penalty of one dollar, for the use of the city, for each and every square of the said city not cleaned as aforesaid.

May contract with persons to remove filth, &c.

Proprietors of lots, &c. to keep their cellars dry. And be it enacted and ordained, That every person or persons possessing a lot or lots, which from their low and sunken situation are liable to retain tide or rain water, or on which cellars or foundations for buildings may be dug, and no tenement erected over the same, shall, during the months of June, July, August, September and October, preserve and keep the said lots, cellars and foundations dry and free from stagnant or putrid waters and other filth; any person or persons offending herein, shall forfeit and pay five dollars, for the use of the city, for every week he, she or they shall suffer such stagnant or putrid water or other filth to remain thereon.

Penalty for neglect, &c.

If proprietors neglect, &c., to remove, commissioners may.

And if the said owner or owners shall, notwithstanding the above provision, neglect to remove such stagnant or putrid water or other filth, the City Commissioners may employ such person or persons as they may think proper, and upon such terms as

to them may seem reasonable and just, to remove from the said lot or lots, cellars or foundations, the said filth or stagnant or putrid water, which said expense shall be considered as a further fine for not complying with the provisions of this clause, and shall be collected accordingly.

And be it enacted and ordained, That every person or persons possessing a tenement or tenements, warehouse or warehouses on any part or parts of the made ground of said city, under which a cellar is or may be dug, or vacant space left, shall, during the months of June, July, August, September and October, keep the same dry and clear of stagnant water, mud or filth, and shall at least once in every week, empty and clear out any stagnant water, mud or filth from the said cellar or empty space left as aforesaid; any person or persons offending herein, shall forfeit and pay for every offence five dollars, for the use of the city.

Cellars in the made ground, &c., to be kept dry, &c.

And be it enacted and ordained, That the owner or owners of any cart, wagon or other carriage, that shall or may be employed in removing or carrying off any of the paved streets, lanes or alleys of the City, any sand, loam, gravel, earth, dirt, manure, stone, bricks or coal, shall have and keep the same in such tight and secure condition so that such sand loam, gravel, earth, dirt, manure, stone, bricks or coal, be not scattered or suffered to fall on any of the streets, lanes or alleys aforesaid, under the penalty of seventy-five cents, for the use of the City.

Owners of carts, &c., removing dirt, &c. through the city, to have them tight, &c.

And be it enacted and ordained, That if any person or person shall willfully and needlessly fire, shoot or discharge any gun, pistol or other fire-arms, or make any bonfire, or burn any combustible matter in any of the streets, lanes or alleys of the said City, every such person for every such offence shall forfeit and pay one dollar for the use of the City.

Penalty on persons firing a gun, &c. in the city.

Or making bonfires, &c. within the city.

And whereas, great injury may arise to the citizens of Baltimore from the going at large of hogs, goats and geese therein :—

Be it enacted and ordained, That the City Commissioners shall employ one or more persons to seize and take all hogs, goats and geese found at large within the said City, and the same to sell and dispose of at public sale, for the use of the City.

Goats, &c., running at large within the city, to be seized.

And be it enacted and ordained, That this ordinance shall commence and be in force from and after the first of May ensuing, and continue until the first day of January next, and until the end of the next session of the corporation that shall happen thereafter.

Continuance.

Approved April 11, 1797.

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No. 16.

An ordinance to regulate the several markets within the City of Baltimore.

Preamble.

Whereas, the Legislature of the State of Maryland hath heretofore erected and established three several markets within the City of Baltimore, under rules and regulations, which have been found by time and experience, inadequate to suppress and prevent many inconveniences and abuses which have crept into the several markets of the said City, as well to the great injury of the inhabitants thereof, as of the inhabitants of the country frequenting the same ;

And whereas, by the act of incorporation the Mayor and City Council of Baltimore have full power and authority to prevent and suppress all such abuses, and to make and provide such further

Power given, &c.

rules and regulations for the good government of the several markets within the said City, as they may deem necessary and right;

Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That all victuals and provisions whatsoever, brought by land or water to the said City of Baltimore, for sale, (except fish and oysters brought by water, all kinds of grain, flour, bread, butter in firkins or other vessels, exceeding fifteen pounds net, cheese, bacon, pork by the hog, beef by the quarter, beef and pork in barrels or larger casks, live cattle, sheep or hogs) shall be carried to any of the said markets in the said City, there to be sold at market hours, to wit: from any time in the morning until nine o'clock in the evening of the same day, from the first day of April until the first day of October; and until six o'clock in the evening from the first of October until the first of April.

Provisions, &c., to be carried to one of the markets, &c.

And be it enacted and ordained, That no inhabitant of the City of Baltimore or other person, shall buy or cause to be bought of any person or persons whatsoever, bringing or having brought any kind of victuals or provisions for sale to the said City or within one mile thereof, (except as before excepted) either upon the market days appointed by law or upon any other day of the week, at any other place whatsoever, within the said City, but at or in one of the market houses within the same, under the penalty of five dollars for every such offence, for the use of the City.

No person to buy provisions, &c., out of market.

Penalty.

And be it enacted and ordained, That no person or persons whatsoever, bringing or sending or having brought or sent, any victuals or provisions to the said City for sale, (except as before excepted) shall sell or cause to be sold, the said victuals or provisions so brought or sent either by land or water to the said City, or within one mile thereof, at any other place but at or in one of the aforesaid mar-

No person to sell provisions, &c., out of market, &c

Penalty. ket houses, under the penalty of five dollars for every such offence; and if any servant or slave shall sell or offer for sale, any victuals or provisions contrary to the directions and meaning of this ordinance, and is unable to pay the above fine of five dollars, such slave or servant shall be punished by whipping on the bare back, at the discretion of any associate justice or justice of the peace for Baltimore county. Provided such whipping shall not exceed ten lashes for every such offence.

Servants to pay the fine or be whipped.

And be it enacted and ordained, That a clerk be appointed for each of the said markets, whose power and authority shall continue for and during pleasure.

Clerk to be appointed.

And be it enacted and ordained, That the clerks appointed to the several markets aforesaid, shall have full power and authority to take possession, care and charge of the market to which they are respectively appointed, during their continuance in office; and it shall be their duty, and they are hereby directed and required to attend, unless prevented by sickness or other unavoidable accident or necessity, the market to which they are respectively appointed, from the hour of five until the hour of ten in the morning, during the months of April, May, June, July, August, September and October; and from the hour of seven until the hour of eleven in the morning, during the months of November, December, January, February and March, in order to enforce obedience to all and every, the rules and regulations directed to be observed, as well by this ordinance as by any future ordinance of the corporation, touching or concerning such markets and to prevent all blown, unsound and unwholesome provisions from being sold or exposed for sale within the same, and to weigh, try and examine all butter, lard and other articles of provisions sold at a given weight, to see that the same are of due weight for which the same are offered for sale, at the rate of sixteen ounces avoirdupois to the pound, and the same when false, to seize and dispose of to the

His duty.

highest bidder, for the use of the City ; to decide all differences and disputes which may arise in the said market to which they are severally appointed, between buyers and sellers, touching the weight and measure of the things there bought and sold, and to examine all persons suspected of selling provisions as hucksters, at second hand, and to prosecute according to the directions of this, or any future ordinance, all such as shall be found offending against the same ; and to collect all and every the rents of the stalls or shambles of the market to which they are respectively appointed, for the use of the City ; and to prevent all hucksters and other persons from selling or exposing for sale, any goods, wares, or merchandise, within the limits of any of the aforesaid markets, at any time during market hours ; and to cause the markets to which they are respectively appointed, to be swept at least twice in every week, on the days next preceding market days, and to remove all dirt, filth and snow from the same, as often as the same may be necessary.

Clerk to collect stall rents.

To prevent hucksters from selling, &c.

And be it enacted and ordained, That if any of the clerks of the several markets shall refuse or neglect to attend at the hours and times appointed by this ordinance, unless prevented by sickness or other unavoidable accident or necessity, he or they shall for every such offence, forfeit and pay the sum of two dollars, to be applied as the corporation shall or may hereafter direct.

Penalty on clerks for neglect of duty, &c.

And be it enacted and ordained, That no steelyards shall be used in the said markets, but all flesh, flour and other provisions sold by weight shall be weighed by scales and weights, duly stamped and regulated by the officer legally appointed for that purpose, such scales and weights to be provided by the seller ; and if any person shall be guilty of selling by steelyards or by unjust weights or false measures, or scales falsely balanced, he or they shall pay a fine of five dollars, to be recovered with costs for the use of the City.

No steelyards to be used, &c.

Scales to be used

Fine for using steelyards.

And be it enacted and ordained, That no person shall sell or expose to sale, in any of the markets aforesaid, any blown, stuffed, unsound, unwholesome meat or articles of provisions, or measly pork, under the penalty of five dollars for each and every offence, for the use of the City.

No blown meat, &c., to be sold, &c.

Penalty.

And be it enacted and ordained, That if any person or persons shall buy or cause to be bought any kind of vegetables, dead meat, poultry, butter, cheese, tallow, eggs or fish in any of the markets in the said City, or within ten miles thereof, with an intent to sell the same in such markets, such person shall forfeit and pay for every such offence the sum of twenty dollars, one-half to the informer and the other half for the use of the City.

No person to buy vegetables, &c, within the markets with intent to sell again.

And be it enacted and ordained, That when and as often as it shall happen that any person is exposing any of the above enumerated articles for sale, otherwise than in his shop or store, and there is good cause to suspect they have been purchased contrary to the true intent and meaning of this ordinance, it shall and may be lawful for any person to apply to a Justice of the Peace for Baltimore county, for a warrant to apprehend such person or persons so suspected, and the said Justice of the Peace shall inquire into the offence; and if the person suspected be convicted thereof on the oath or affirmation of one or more credible witnesses, or if the person or persons so charged cannot make it appear to the satisfaction of such Justice of the Peace, that he, she or they raised or made the article or articles by him, her or them so offered for sale, or that he, she or they, is or are disposing of them on account of the person or persons who made the same, or that he, she or they brought the said article or articles ten miles or upwards from the said city, he, she or they shall be deemed, construed and taken to be offenders against this ordinance, and shall forfeit and pay the sum of twenty dollars, one-half of which to go to the informer, and the other half for the use of the city.

Persons suspected of being hucksters to be carried before a magistrate.

Penalty on conviction.

And be it enacted and ordained, That no huckster or other person shall purchase with intent to sell again, any provisions or fruit of any kind within the limits of the said markets, before the hour of ten in the morning of any market day, under the penalty of twenty dollars, for the use of the city.

Penalty on persons purchasing before the hour of ten with intent to sell again.

And be it enacted and ordained, That no huckster or other person whomsoever, shall sell or expose for sale within the limits of any of the said markets, on any day or any time whatsoever, any victuals or provisions of any kind whatsoever, which have been before purchased from any inhabitant of the country, bringing, or who had brought the same to the said city, or within ten miles thereof, for sale, under the penalty of twenty dollars, one-half to the informer, and the other half to be applied as aforesaid.

Penalty on persons selling provisions purchased within any of the said markets

Or within ten miles thereof.

And be it enacted and ordained, That no person or persons whomsoever, shall lead, ride or drive into any of the said market houses, or on the brick pavement of the same, or within eight feet thereof, any horse or other beast, waggon, cart, wheel-barrow or carriage of any kind whatsoever; or kill or slaughter within the limits of any of the said markets, any beast of the beef, sheep or hog kind, or lay, throw or deposit any dirt, filth, dung, garbage or offal therein, under the penalty of five dollars, to be applied as before directed.

No person to ride through the markets.

Or to kill or slaughter any beast in the markets.

Penalty.

And be it enacted and ordained, That no person or persons whomsoever, shall during market hours, sell or expose for sale, any wine, beer or spirituous liquors of any kind within the limits of any of the said markets, under the penalty of five dollars for every such offence, to be applied as before directed.

Penalty on person selling wine &c., within any of the said markets.

And be it enacted and ordained, That no person or persons shall bring any goods, wares or merchandise of any kind whatsoever, except country manufacture, within the limits of any of the said markets, to sell, or offer for sale, during market hours,

Or goods, wares, and merchandise.

Except country manufacture.

and any person or persons acting therein contrary to the intent and meaning of this ordinance, shall forfeit and pay the sum of five dollars, to be applied as the corporation may hereafter direct.

Clerk to rent the
shambles.

And be it enacted and ordained, That the clerks of the several markets shall have full power and authority to rent or hire out the stalls or shambles in the said several markets, and shall keep fair and regular accounts of all the monies or profits arising from such rents, and of all fines and forfeitures he or they shall receive by virtue of this and every other ordinance which may be passed respecting any of the said markets, and shall pay the same to the Treasurer, for the use of the city.

To pay the
amount to the
treasurer.

Clerks to take
the oath of of-
fice.

And be it enacted and ordained, That before any of the clerks of the several markets shall enter upon the execution of their office, they shall be obliged to take the oath or affirmation of office, as the case may be, that they will justly, truly and impartially perform the several duties required of them by this ordinance, and will also take the several oaths prescribed by law to be taken, and will also prescribe a declaration of their belief in the christian religion.

To give bond,
&c.,

And be it enacted and ordained, That the several clerks to be appointed to the markets aforesaid, shall, before they take upon themselves the execution of the trust reposed in them by this ordinance, give bond with sufficient security, to be approved of by the Mayor, to the Mayor and City Council of Baltimore, that is to say the clerks of the Howard's hill and Fell's point markets, each in the sum of five hundred dollars, and the clerk of the Centre market in the sum of fifteen hundred dollars, with condition thereto annexed, that they will severally, well and faithfully discharge the several duties required by this ordinance, and that they will render to the said Mayor once in every three months, a just and true account of all monies they shall from

time to time receive in virtue of their appointment, and that they will pay the same to the Treasurer, for the use of the city.

And be it enacted and ordained, That the clerks of the several markets shall have full power and authority to distrain and sell any meat or provisions upon any stall rented by him to any person, if such person renting the same, or if the person having the use and occupation of the said stall or shamble shall not pay the rent due thereon; and the said several clerks are hereby empowered to collect all rents, fines and forfeitures incurred by reason of this ordinance, and are hereby directed to account for the same, as before by this ordinance directed.

To distrain for rent.

To render fair accounts of the same.

And be it further enacted, That this ordinance, and every matter, clause and thing therein contained, shall be in full force and operation on and after the first day of May next, and not before.

Commencement

Approved April 11, 1797.

No. 17.

An ordinance to regulate the cording of fire-wood within the City of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That four persons be nominated and appointed corders of all fire-wood brought by water to the city of Baltimore for sale, to wit: one from the south side of Pratt street, beginning at the head of Pratt street dock, southward, for the first district; one from the first district, eastward to Bowly's wharf, inclusive, for the second district; one from the second district, eastward to the west end of the stone bridge on the causeway, for the third district, and one from the third district to Harris's Creek, for the fourth district, who shall continue in office during pleasure.

Persons to be appointed wood-corders.

City divided into districts.

And be it enacted and ordained, That all fire-wood brought by water to the said city for sale shall be at least four feet in length, including one-half of the kerf and not less than two inches diameter at the small end, and shall be set up, packed and corded under the direction of one of the wood corders, and shall be measured by him, and every cord of wood shall be eight feet in length, four feet in breadth, and four feet in height, well stowed and packed, the straight wood to be placed together in the lower part of the pile, and the crooked wood in the upper part of the pile; and the said wood corder is hereby directed to make the proper allowance for any loss which may be sustained in the measure by the crooked wood; and the said wood corder for his trouble in examining and measuring the same shall have and receive six cents for each and every cord of wood so examined and measured by him, one-half to be paid by the buyer and the other half by the seller of such wood; and the said wood corders, after the first day of July next, shall not cord any wood that is not of the length aforesaid, but the same shall be rejected as unmerchantable.

Dime: s on^s.

Wood corder to make allowance for crooked wood, &c.

Their allowance

And be it enacted and ordained, That if any person or persons bringing or sending any fire-wood by water to the said city for sale, and shall sell and deliver the same before it has been corded and measured by the wood corder of the district where such wood shall have been landed, or shall neglect or refuse to have the same corded and measured, such person or persons shall forfeit and pay two dollars for each and every cord of wood so sold and delivered, for the use of the city.

No wood to be sold untill corded and measured, &c.

Penalty for neglect, &c.

And be it enacted and ordained, That if any person or persons shall purchase and receive any fire-wood brought by water to the city of Baltimore which hath not been corded, measured and passed by one of the wood corders to be appointed for that purpose, such person or persons so offending con-

No wood to be bought until corded and measured.

trary to this ordinance shall forfeit and pay two dollars for every cord of wood so purchased and received by him or them, for the use of the city. Penalty.

And be it enacted and ordained, That each of the said wood corders so as aforesaid to be appointed shall, before he enters upon the execution of such appointment, make oath or affirmation, as the case may be, that he will faithfully execute the office of a wood corder of the city of Baltimore to the best of his knowledge and ability, without favor, affection or partiality. Oath.

And be it enacted and ordained, That no wood corder, drayman or carman, either by himself or themselves, or by any other person or persons whomsoever, for or in trust for him or them, shall buy, trade or barter for any fire-wood on the way to or brought to the said city for sale other than for his or their own family's use, under the penalty of ten dollars for every such offence, for the use of the city. No wood-corders, &c. to purchase wood more than for family use.

And be it enacted and ordained, That before any of the wood corders hereafter to be appointed in virtue of this ordinance shall enter upon the duties of his appointment, he shall give bond in the sum of one hundred dollars, with security to be approved of by the Mayor, to the Mayor and City Council of Baltimore for the faithful discharge of the duties required by this or any other ordinance of the corporation of the city of Baltimore, and shall take the several oaths prescribed by law to be taken, and subscribe a declaration of his belief in the Christian religion. To give bond &c.,

Approved April 13th, 1797.

No. 18.

An ordinance to prepare a scheme of Lottery to raise a sum of money for the use of the City of Baltimore.

Scheme. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the following be a scheme of a lottery, to raise a sum of money for the use of the city of Baltimore, to wit:

THAT THERE BE		<i>Dollars.</i>	
Ten thousand tickets at five dollars each is,		50 000	
1 Prize of		8 000	
1 ditto of		4 000	
5 ditto of 500 dollars each.....		2 500	
8 ditto of 200 ditto each.....		1 600	
10 ditto of 100 ditto each.....		1 000	
22 ditto of 50 ditto each.....		1 100	
40 ditto of 20 ditto each.....		800	
60 ditto of 10 ditto each.....		600	
3220 ditto of 6 ditto each.....		19 320	
The last drawn ticket.....		2 000	
		40 920	
10 000	}	3367 prizes. } Raised by 6633 blanks. } the scheme,	9 080

Commissioners to be appointed. Their duty. Compensation. And be it enacted and ordained, That three commissioners be appointed to carry the said scheme into effect, and they, or either of them, are hereby authorized and directed to sign and sell, or cause to be sold, the said tickets, to receive the money for the same, to draw the said lottery, to pay the said prizes which may be found due on the drawing of the said lottery, and after deducting a commission of five per centum on the amount of all tickets by them sold (for which amount they shall be answerable) as a compensation for their trouble, and to discharge the expenses of the said lottery, and to pay the balance to the treasurer of the city.

And be it enacted and ordained, That the said commissioners, before entering into the duties of their appointment, give bond each in the sum of ten thousand dollars, with security to be approved of by the Mayor, to the Mayor and City Council of Baltimore, for the faithful discharge of their said duties. To give bond &c.

And be it enacted and ordained, That the Mayor of the City is hereby authorized to direct the drawing of the said lottery at such time and place as he in his discretion shall think proper. The mayor to direct the time of drawing the lottery, &c.

Approved April 24th, 1797.

No. 19.

An ordinance to erect and regulate pumps in the streets, lanes and alleys of the City of Baltimore.

Whereas, a due supply of water is a convenience to the inhabitants, and of the utmost importance in times of fire within the city of Baltimore. Preamble.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, authorized and empowered to contract with a proper person or persons to sink wells and erect pumps in such parts and places on the sides of the streets, lanes and alleys in the said city as to them shall appear useful and necessary, which wells when completed shall be at least five feet in diameter, clear of the walling. Commissioners to contract, &c. Dimension of well.

And be it enacted and ordained, That all the pumps which are at present erected in any of the streets, lanes or alleys of the said city, or which shall hereafter be erected by any of the citizens, upon the terms prescribed by an act of the General Assembly of Maryland, entitled "An act to extinguish fires, &c.," shall, and they are hereby, declared All lamps in the streets &c. declared public.

to be public pumps, under the direction of the City Commissioners; and the said commissioners are hereby authorized to contract with a suitable person to examine, and if necessary, to repair, and hereafter to keep in repair the said pumps.

Commissioners
to repair the
pumps.

And be it enacted and ordained, That whenever any of the said pumps shall be out of repair, it shall be the duty of the said commissioners, upon receiving information thereof by any of the citizens resident in the district where such pumps are erected, to cause the same to be immediately examined and repaired.

Appropriation.

And be it enacted and ordained, That the said commissioners be authorized to draw on the treasurer of the city for the sum of one thousand dollars, for the purpose of carrying the provisions of this ordinance into effect.

Penalty on persons
damaging the
pumps, &c.

And be it enacted and ordained, That if any person or persons shall and do after the passing of this ordinance maliciously, wilfully or wantonly break or carry away the handle, or obstruct the pumps standing in the streets, lanes or alleys of the said city, or otherwise damage or injure the same, every person so offending or aiding, or so assisting such offence shall forfeit and pay for every such offence twenty dollars, for the use of the city.

Approved April 26th, 1797.

No. 20.

An ordinance to regulate the selling of lime in the City of Baltimore.

Persons bringing
lime to the
city for sale, to
provide a bushel
measure.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That every person bringing lime into the said city for sale shall provide himself with a measure that shall contain one bushel,

which shall be branded by the keeper of the standard of measures of Baltimore county, and proportioned to the said standard, and no other kind of measures shall be used by the seller for measuring his lime.

Measures to be branded by the standard.

And be it enacted and ordained, That from and after the first day of June next, all lime brought into the said city or precincts thereof for sale shall be measured by the seller in the bushel measure aforesaid; and every such seller shall measure the same truly and honestly, and the lumps he shall so put in the said bushel as to avoid making hollow places, and the said bushel shall be heaped.

Lime to be measured by the seller.

And be it enacted and ordained, That if any person shall bring lime into the city aforesaid, or precincts thereof, after the said first day of June next, and sell the same, and shall refuse or neglect to measure it in manner as aforesaid, he shall for every such offence forfeit and pay the sum of two dollars, one half to the informer and the other half for the use of the city.

Penalty for neglect or refusal.

And be it enacted and ordained, That if any person after the first day of June next shall purchase lime brought to the said city for sale, and shall refuse or neglect to have the same measured, shall for every such offence forfeit and pay the sum of two dollars, one half to the informer and the other half for the use of the city.

Penalty on purchasers.

Approved April 24th, 1797.

No. 21.

An ordinance respecting the upper and middle bridges on Jones' Falls, in the City of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the commissioners or any two of them, appointed to contract for the rebuilding of the middle bridge over Jones' Falls, in

Baltimore town, by the act of the General Assembly of Maryland, passed at November session, seventeen hundred and ninety-six, entitled "An act for building a record office, and for securing and transcribing certain records and papers in Baltimore county, and for re-building two bridges over Jones' Falls, in Baltimore town in said county," are hereby authorized and empowered to negotiate and borrow on loan a sum of money from any of the banks in said city not exceeding five hundred pounds, for the purpose of carrying into execution the objects of their appointment; which said money, with interest, shall be paid to the said banks in the years seventeen hundred and ninety-eight and seventeen hundred and ninety-nine.

Commissioners
may borrow
money.

To be repaid in
1799.

And be it enacted and ordained, That the commissioners of the middle bridge aforesaid are hereby authorized and required to immediately contract with some skillful and experienced person to undertake the building of a wooden or frame bridge, to be erected on piles, at the place where the middle bridge was erected, of sound and firm materials, and the workmanship to be done and executed in a skillful and faithful manner, so as to preserve the timbers of said bridge as much as possible from rotting or decaying; and the said contract shall be in writing, expressing the terms of payment and defining fully the work to be performed; and the said person before he commences the work, shall give bond with security, to be approved of by the Mayor, to the Mayor and City Council of Baltimore, in the sum of three thousand dollars, for the faithful execution of the said contract; which said bond shall be filed with the City Register for safe keeping.

Commissioners
to contract for
building the
middle bridge,
&c.

Contract to be in
writing.

Persons con-
tracting to give
bond.

If the money
borrowed is in-
adequate, com-
missioners au-
thorized to draw
on the treasurer.

And be it enacted and ordained, That in case the sum of money hereinbefore mentioned shall be found inadequate to complete the said middle bridge, the Commissioners are hereby authorized to draw on the Treasurer of the City for such further sum as shall appear necessary therefor, not exceeding six hundred dollars.

And be it enacted and ordained, That the Commissioners, or any two of them, appointed by the Act of Assembly aforesaid, to contract for rebuilding the upper bridge on Jones' Falls aforesaid, be, and they are hereby, authorized in their discretion to draw on the Treasurer of the City for a sum not exceeding one hundred dollars, to be by them appropriated to the immediate reparation of the said bridge.

Commissioners to contract for building the upper bridge on Jones's Falls.

May draw on the treasurer, &c.

And be it enacted and ordained, That the said Commissioners of the upper bridge aforesaid, shall, and they are hereby authorized and empowered, if they in their discretion shall think proper, to negotiate and borrow on loan, a sum of money from any of the banks in said City, not exceeding five hundred pounds, for the purpose of rebuilding the said bridge; which said money with interest shall be paid to the said banks in the years seventeen hundred and ninety-eight and seventeen hundred and ninety-nine. Provided that the said Commissioner shall not be authorized to borrow the said sum before the first day of October next, unless the said upper bridge shall be destroyed or rendered impassable by floods or otherwise.

May borrow money on loan, to be repaid in 1798.

Proviso.

And be it enacted and ordained, That the corporation of the City of Baltimore do hereby guarantee the payment of the said loans and interest to such banks as shall advance the same, and shall and will indemnify and save harmless the commissioners of said bridges, who shall negotiate the same, or who shall or may become security for the same, and the revenue of the city is hereby mortgaged for the payment of the same, agreeably to the terms and time specified by this ordinance.

Revenues of the city mortgaged, &c.

Approved April 24, 1797.

No. 22.

An ordinance to preserve the navigation of the harbor of Baltimore, and to provide for the exercise of the powers heretofore vested in the Port Wardens by the Act of Assembly.

Persons to be appointed to make survey, &c.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That three persons be appointed to make out as soon as conveniently may be, an exact survey or chart of that part of the harbor of Baltimore which lies on the north side thereof, and to the eastward of the west side of Eden street, extending round the shore to Harris's creek; laying down the different permissions heretofore granted by the Port Wardens, to extend wharves into the water within the limits aforesaid, and ascertaining the depth and course of the channel in order that the Mayor and City Council may be enabled to fix a line or boundary, beyond which no wharf shall be permitted to be extended without a special act of the corporation.

Mayor to grant permission to extend wharves &c.

And be it enacted and ordained, That it shall be lawful for the Mayor, for the time being, on the application of the proprietor of any lot binding on and entitled to the privilege of the water, to grant permission to extend a wharf or wharves therefrom, so as that the same shall in no instance extend beyond the limits heretofore prescribed by the Port Wardens, or that shall hereafter be fixed by the corporation; provided that in all cases where permission shall be granted as aforesaid, a plan of the proposed wharf shall be first lodged with the Mayor, and notice of the application served on the owners or proprietors of the adjoining lots (if in the State) at least thirty days before permission is granted; and if in the mean time no caveat be entered, then permission may be given under the seal of the corporation; but if caveat be entered against permission being granted as aforesaid, then, and in every such case permission shall not be granted by the Mayor, but the same shall be referred to the decision of the corporation.

Plan to be lodged with the Mayor.

If no caveat, permission to be granted.

If caveat, to be referred to the corporation, &c.

And be it enacted and ordained, That a harbor master be appointed, who shall before he enters upon the execution of his said appointment give bond with security, to be approved of by the Mayor, to the Mayor and City Council of Baltimore, in the sum of one thousand dollars, that he will well and faithfully discharge the several duties required of him by this ordinance; whose duty it shall be to attend to the preservation of the navigation and harbor, the mooring and stationing of vessels; to collect all wharfages of vessels, and all fines and forfeitures arising under this or any other ordinance or act relating to the navigation or harbor.

Harbor master
to be appointed.

To give bond, &c

His duty.

And be it enacted and ordained, That the following wharfages shall be collected as aforesaid, on all decked vessels which shall lay at any public wharf within the City, to wit: one cent per ton for every day they shall so remain, not exceeding one hundred cents for any vessel whatever, and all vessels lying in the second tier shall pay half wharfage.

Wharfage to be
collected.

And be it enacted and ordained, That if any person or persons shall obstruct the harbor master, or other person appointed to collect the wharfage aforesaid, in the ascertaining the tonnage of any vessel, or in the collecting of the wharfages hereby imposed, he or they shall forfeit and pay five dollars for every offence, for the use of the City.

No person to ob-
struct the har-
bor master, &c.

Penalty.

And whereas great inconvenience has been experienced from wood flats and other vessels occupying their births at the public wharves an unreasonable length of time—

Be it therefore enacted and ordained, That when any vessel is hauled into any of the public wharves for the purpose of discharging her cargo, the master or skipper thereof shall proceed without delay to discharge the same, and shall immediately thereafter haul off a convenient distance from the said wharf, if required so to do by the harbor master, or (if the

Vessels at the
public wharves
to discharge
without delay.

Penalty for refusal. vessel be a wood flat,) by any one of the wood corders; and if any master or skipper of any vessel so ordered off shall refuse to obey, he shall forfeit and pay the sum of three dollars, over and above the wharfages aforesaid, for every twenty-four hours the said vessel shall so remain.

No vessel to careen at any of the public wharves. Or to throw any bricks in the basin, &c. Penalty. And be it enacted and ordained, That it shall not be lawful for any person to heave down or clean a vessel at any public wharf within any part of the basin or harbor of the port of Baltimore, or to land or put on shore on any of the said wharves any stone, bricks, ballast, oyster shells, dirt or filth, or to make any fires thereon, without the permission of the harbor master; and if any person shall be guilty of any of the offences aforesaid, such person shall forfeit and pay a sum not exceeding five dollars, in the discretion of the magistrate before whom the same is tried.

Wharfages to be collected. And be it enacted and ordained, That the following wharfages shall be collected for the articles hereafter enumerated, landed at any public wharf within the City, to wit: For every cord of wood, six cents; for every hundred feet of scantling or plank, two cents; for every thousand staves, heading or shingles, twelve and a-half cents; for every hundred bushels of coal or salt, twelve and a-half cents; for every hundred posts or rails, twenty-five cents; for every hundred cedar bolts, twelve and a-half cents; for every thousand hoop poles, twelve and a-half cents; for every thousand laths, two cents, and for every thousand garden pales, six cents.

Double wharfages, &c. And be it enacted and ordained, That if any person or persons owning any of the foregoing enumerated articles, shall suffer the same to remain on any of the public landing places longer than twenty-four hours, such owner and owners shall forfeit and pay for every such offense double the rate of wharfage upon the aforesaid enumerated articles, for

every twenty-four hours the same or any part thereof shall so remain on the said landing places, except plank and scantling, which may so remain for four days after the landing thereof, and after that time shall be subject to double wharfage, as aforesaid, for the use of the City.

And be it enacted and ordained, That every barrel of tar, pitch, turpentine, beef, pork and fish, after having remained twenty-four hours on any of the public wharves within the city of Baltimore, shall pay two cents for each and every barrel which shall so remain, and at the same rate for every twenty-four hours thereafter.

Pitch, &c. remaining twenty-four hours, and to pay double wharfage.

And be it enacted and ordained, That the harbor-master and every wood-corder shall render an account on oath at least once in every month, of all monies by them received in virtue of this ordinance, and shall at the same time, pay over the same to the Treasurer, deducting therefrom fifteen per cent. for their trouble in collecting.

Harbor master, &c. to account on oath, &c.

And be it enacted and ordained, That in all cases where firewood or lumber is landed, as aforesaid, it shall be optional in the wood-corder to receive the wharfage on the firewood or lumber, or on the vessel, but not on both at the same time.

Optional to receive wharfage on tonnage.

And be it enacted and ordained, That the owners of private wharves shall be obliged to keep them in repair, as to prevent injury to the navigation; and that whenever any owner of a wharf shall suffer it to be out of repair, so as that dirt or filth washes by rain into the navigation, the Mayor shall have power and authority to summon said owner before him, and to fix a reasonable time, not exceeding one month, for securing said wharf so as to prevent injury to the navigation; and in case the owner of any wharf as aforesaid shall refuse or neglect to appear when summoned by the Mayor, or to make the necessary repairs as aforesaid, he or they shall

Owners to repair private wharves &c.

Mayor may summon owners &c.

Penalty for refusal, &c.

forfeit and pay a sum not exceeding ten dollars per week, at the discretion of the magistrate before whom the same may be tried, for the use of the City.

Superintendent of machine to be appointed.

And be it enacted and ordained, That a suitable person be appointed to take charge of, and superintend the working of the machine and scows, prepared for cleaning and deeping the basin and harbor, who shall from time to time employ as many hands as may be deemed proper and necessary by the Mayor; provided that the limits and bounds wherein the said machine shall be employed to work shall be ascertained and fixed every session, by a resolution of the corporation.

To order vessels to remove.

And be it enacted and ordained, That the harbor-master or person having charge of said machine, shall at all times have power and authority to order any vessel to remove from the space wherein it is necessary to work the said machine; and if any person having charge of a vessel, ordered to be removed as aforesaid, shall refuse or neglect to remove his said vessel within twelve hours after ordered as aforesaid, he or they shall forfeit and pay the sum of five dollars for every hour they shall remain thereafter within the limits so ordered to be removed from; and if any person shall wilfully obstruct the working of the said machine, or run foul of its anchors or fastenings, he or they shall for every such offence forfeit and pay a sum not exceeding ten dollars, in the discretion of the magistrate before whom the same may be tried, for the use of the City.

Penalty on refusal, &c.

Penalty on persons obstructing the machine.

No person to throw oyster shells into the water, &c.

And be it enacted and ordained, That if any person shall cast or throw any ballast, dirt, oyster shells, or filth into the water, in any part of the basin or harbor of the port of Baltimore, above Whetstone point, or on the shore of the said basin or harbor, below high water mark, unless for the making a wharf, after permission obtained for that purpose, and which wharf shall be well and sufficiently enclosed and secured so as to prevent injury

Unless for making a wharf, &c.

to the navigation, such persons so offending shall forfeit and pay for every such offence a sum not exceeding twenty dollars, in the discretion of the magistrate before whom the same may be tried. Penalty, &c.

And be it enacted and ordained, That it shall not be lawful for any individual hereafter to make ground off the water, in front of any street or part of a street as aforesaid, without a special permission under the seal of the City; and if the owner of any lot adjoining any such street, shall be permitted to make ground off the water, in front of any such street, or part of a street, for the accommodation of their lot, and to give them more convenient access thereto, that part made in front of a street or part of a street, shall in no case be considered as the property of such individual. No person to make ground off the water without permission.

Provided, nevertheless, That this ordinance is not to affect any rights acquired in virtue of an Act of Assembly, entitled "An act permitting the proprietors of lots binding on the water, at the west end of the basin, in Baltimore town, to extend and improve the same. Not to affect any right given by Act of Assembly.

And be it enacted and ordained, That the harbor-master to be appointed as aforesaid, is hereby authorized and empowered to appoint one or more deputies, to be approved of by the Mayor, to assist him in the execution of his office, for whose conduct the said harbor-master shall be responsible. Harbor-master may appoint deputies, &c.

Approved April 24, 1797.

No. 23.

An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be three assessors appointed to assess in manner as is herein- Assessors to be appointed, &c.

City to be divided into districts, &c.

after provided, all the property within the said City subject to assessment by the laws of this State, within the following districts, to wit: from Calvert street to the westward of the City, inclusive, for the first district; from Calvert street eastward to Jones' Falls, inclusive, for the second district; and from Jones' Falls eastward to Harris' creek, inclusive, as the third district; which said assessors, before they act, shall take the following oath or affirmation, as the case may be, to wit: "I, A. B. do swear, (or affirm,) that I will well and truly execute the duty of an assessor, and will faithfully, justly and impartially value all real and personal property which I shall be appointed to value, agreeably to the directions of an ordinance of the corporation of the city of Baltimore, entitled "An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same," according to the best of my skill and knowledge, and therein I will spare no person for favor or affection, or any person grieve for hatred, malice or ill will. And they shall have and receive as a compensation, a sum not exceeding for the first district one hundred dollars; for the second district eighty dollars; and for the third district one hundred and twenty dollars, to be paid by the Treasurer of the City for their services in performing the duties required by this ordinance.

Assessors' oath.

Compensation to assessors, &c.

Former mode of assessment to be taken.

Unless improvement be made.

And be it enacted and ordained, That the said assessors shall take, as it now appears upon the books of the Commissioners of the Tax for Baltimore town, an exact list of the assessment, as their present mode or rate of assessment, which they shall enter alphabetically in a book to be by them provided for that purpose, unless some alteration or improvement shall have been made on said property since the former assessment, in which case, the value of such alteration or improvement shall be added to its former assessment; and they shall diligently and carefully assess all property subject to assessment, as aforesaid, not included in the said list, at the same rate as the former assessment, and not higher or greater, which

they shall add to the same in the books aforesaid, distinguishing the old from the new assessment, which said books so containing the old and new assessment and the items and particulars of each, they shall deliver and deposit with the Register of the City, on or before the first day of July next.

To be deposited with the register &c.,

And be it enacted and ordained, That two of the said assessors, shall alternately value the property of the other assessor, at the same rate of assessment, and add the same to the said assessment list on or before the first day of July next.

Assessor's alternately to value property.

And be it enacted and ordained, That the said assessors shall have permission, and they are hereby directed to employ a clerk to assist them in the preparation and statement of the said lists and accounts of assessment, who shall accurately transcribe and enter into a book or books to be for that purpose provided, the said lists or accounts of assessment, in a plain, fair hand writing, which shall so be done on or before the first day of August next, and that the said clerk have and receive as a compensation for his services, one hundred and twenty dollars, to be paid by the Treasurer of the City.

Assessor's to employ a clerk.

Their compensation.

And be it enacted and ordained, That a tax of fifteen shillings be imposed and levied on every hundred pounds of property, assessable as aforesaid, within the city of Baltimore, contained in the said list of assessments to be collected in the manner as is hereinafter directed.

A tax of fifteen shillings to be laid.

And be it enacted and ordained, That there be a collector appointed, to collect the tax so imposed, who, before he enters upon the execution of his office, shall take and subscribe the oath or affirmation, directed by the Act of incorporation, and give bond to the mayor and City Council of Baltimore, in the penalty of twenty thousand dollars, with security, to be approved by the Mayor, for the well

A collector to be appointed.

To give bond.

and faithful execution of the trusts reposed in him by this ordinance; and that he will pay monthly to the Treasurer of the City, such sums of money as he shall receive in the course of collection, and that he will complete the said collection on or before the twentieth day of November next.

To deliver account in writing

And be it enacted and ordained, That the said collector shall make out and deliver to each taxable, or leave at their last place of abode, or if non-resident, at the property, an account in writing of his said assessment, containing the items and amount thereof; which said account shall be so delivered or left, on or before the first day of October next, and the same shall contain a request to pay the said assessment on or before the twentieth day of October aforesaid.

Persons aggrieved, to appeal.

And be it enacted and ordained, That if any person shall think himself aggrieved by the valuation herein before directed to be made, he may appeal to the two assessors who have not made the assessment appealed from, who are hereby directed to alter and correct the same, if they think proper, provided that all appeals be heard and determined on or before the twentieth day of October next, and it shall be the duty of the said assessor, and they are hereby directed to give five days notice, prior to the time of their sitting, of the time and place of hearing such appeals; and they shall sit one week and no more, for the purposes aforesaid, for which trouble they shall have and receive two dollars each, for each and every day they shall so sit.

Tax to be paid by the 30th of October next.

And be it enacted and ordained, That if the said tax is not paid by the thirtieth day of October next that then in such case the said collector is hereby authorized and directed to proceed to recover the same, agreeably to the mode prescribed by the Act of incorporation, who shall have and receive a commission of four per centum for collecting the same.

And be it enacted and ordained, That the Mayor of the City be authorized to make transfers on the books of assessment of the said City, as the Commissioners of the Tax of Baltimore town, are authorized to do by the Act of the General Assembly of Maryland, entitled "An act for the valuation of real and personal property within this State," passed at November session, seventeen hundred and ninety-two.

Mayor to make transfers, &c.

Approved, April 24th, 1797.

No. 24.

An ordinance to regulate the measurement of grain and other articles in the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That after the first day of June next all grain, peas, beans, bran, shorts, flax and grass seeds, offered for sale in said City, shall be measured with an iron cross barred half bushel, of the standard measure of Baltimore county, which shall be so filled in measuring, as to strike off not less than three pints, and shall be stricken with a straight strike, rounded on the edges, of at least three-quarters of an inch in thickness, and not less than four inches broad.

All grain, &c. to be measured by the standard measure of Baltimore.

And be it enacted and ordained, That any person or persons measuring any grain, peas, beans, bran, shorts, flax or grass seeds, within the said City for sale, after the first day of June aforesaid, contrary to the provisions of this ordinance, shall forfeit and pay for every half bushel so measured one dollar, one half to the informer and the other half for the use of the City.

Penalty for measuring contrary to ordinance.

Approved April 26, 1797.

No. 25.

An ordinance directing the manner of collecting and appropriating the money levied for paving the streets, lanes and alleys in the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That whenever the City Commissioners shall adjudge and determine on the propriety of paving any street, lane or alley in the said City, that they shall make or cause to be made a correct list of the names of the persons who are liable to pay the paving tax, and the amount to be paid by each person; and they are hereby directed to deliver to the City Collector a duplicate of such amount, under their hands and seals, with directions for collecting the said tax; nevertheless correcting any mistake in the said list, as often as they may be satisfied of the same.

City Commissioners to make out a list of the persons names liable to pay the paving tax.

To be delivered to city collector

And be it enacted and ordained, That the said Collector shall immediately collect the same by distress or otherwise, giving thirty days notice agreeably to law, previous to such distress, and pay over the amount to the Treasurer of the City, after deducting two and one-half per centum for his trouble in collecting the same.

Collector to collect, &c.

Allowance.

And be it enacted and ordained, That the City Commissioners are hereby authorized and directed to draw on the Treasurer of the City for such amount of the tax, and to apply the same to the paving of the individual street, lane or alley where the tax may be collected; and should said tax raise more money than would be sufficient to pave the same, that the overplus remain in the treasury for the use of the City; but should the said tax not be sufficient to pave the same, that then, and in that case, the deficiency be made up out of the monies appropriated to the City Commissioners for that purpose.

City Commissioner to draw on the Treasurer &c.

Approved April 29, 1797.

No. 26.

An ordinance directing the appropriation of certain sums of public money, for the use of the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be appropriated to the surveying, deepening and preserving the harbor of Baltimore, to be paid out of the money arising from the duty on tonnage of vessels, and auctioneers of the City, a sum not exceeding five thousand dollars.

Moneys appropriated for deepening, &c., the Basin of Baltimore.

And be it enacted and ordained, That there be appropriated to the cleaning and keeping the streets in repair, paving and other expenses and contracts of the City Commissioners, to be paid out of any unappropriated money in the treasury, a sum not exceeding four thousand dollars.

For the cleaning the streets. &c.

And be it enacted and ordained, That there be appropriated for the Health Department, to be paid out of any unappropriated money in the treasury, a sum not exceeding two thousand dollars.

For the health department.

And be it enacted and ordained, That there be appropriated for extra expenses, to be paid out of any unappropriated money in the treasury, a sum not exceeding two hundred dollars.

For extra expenses.

And be it enacted and ordained, That the City Commissioners, with the approbation of the Mayor, may draw on the Treasurer for such sum of money not exceeding the appropriation for that department, for the purpose of employing a clerk, contracting with scavengers, and executing the several trusts required of them by ordinances; and they are hereby directed to render a full and fair account of all their expenditures to the City Council, at their next session, with the vouchers therefor.

Commissioners may employ a clerk, &c.

May contract with scavengers &c.

To render account.

Mayor may draw on the treasurer for the purposes aforesaid, &c.

And be it enacted and ordained, That the Mayor may draw on the treasury for such sums of money not exceeding the appropriations aforesaid, for the said purposes; and is hereby requested to lay before the next City Council a full and fair account of all expenditures of said money, with the vouchers therefor.

Continuance.

And be it enacted and ordained, That this ordinance shall be and continue in force until the first day of January next, and until the end of the next session of the corporation that shall happen thereafter.

Approved April 29, 1797,

No. 27.

An ordinance to ascertain the several taxes in the city of Baltimore, and to direct the manner of collecting the same.

Statement to be made.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Register and Treasurer of the City aforesaid, are hereby required and directed, on or before the first day of June next, to enumerate and collect into one statement, all the taxes imposed by the Acts of Assembly, (now in force for the use of the City, and to furnish a copy thereof to the Collector of the City, who is hereby authorized and required to use all lawful ways and means to discover from whom the same are to be collected, and to make out a list of the persons names from whom due, and the amount to be paid, and to state and deliver a correct copy, certified under his hand, to the Register of the City, where the same shall be lodged for the inspection of the Mayor, or either Branch of the City Council.

Collector to discover from whom to be collected.

Certified copy to be delivered to the register.

And be it enacted and ordained, That the Collector of the Tax aforesaid, shall, on or before the first day of July next, deliver to each person charged

with any part of the said tax in writing, the amount of such taxes, or leave the same at their dwellings, if in the City, requesting the said persons to pay the taxes, and if the same are not paid by the thirty-first day of July next, that it shall and may be lawful for the Collector of the Tax aforesaid, to collect the same by distress or execution, in such manner as by the several Acts of Assembly are directed.

Amount of taxes to be delivered in writing.

And be it enacted and ordained, That the Collectors of the Tax aforesaid, shall account with the Treasurer of the City monthly for all sums by him received, and shall complete his collection on or before the thirty-first day of October next, and in case of failure the Treasurer is hereby directed to put his bond in suit, and the Collector aforesaid shall be allowed a commission of four per centum for collecting the same.

Collector to account monthly.

To complete his collection, &c.

Allowance.

And be it enacted and ordained, That the auctioners of the City aforesaid, shall pay at the rate of five shillings for every hundred pounds on the amount of all sales made by them to the Treasurer of the City aforesaid, and shall once in every three months account to the said Treasurer, on oath or affirmation, and pay the same; and the bonds of the said auctioneers shall be answerable, and may be sued by the Treasurer for any breach, in not rendering account or paying as above required.

Tax on auctions &c.

Auctioneers to account on oath &c.

And be it enacted and ordained, That the Treasurer of the City aforesaid, shall receive all monies that may be due the City aforesaid, on all licenses which shall be granted by Baltimore County Court, at September term next; and the Collector aforesaid, is hereby directed to collect all licenses that may be granted by permission in the vacation of Baltimore County Civil Court.

Treasurer to receive tavern licenses, &c.

Collector to collect licenses granted by permission.

Approved April 29, 1797.

No. 28.

An ordinance imposing a tax on the City seal, and regulating the fees of the Register's office.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That every person requiring the City seal affixed to any commission or other paper for his benefit, shall pay to the Register of the said City one hundred cents, for the use of the City, which shall be paid immediately on the service done; and the Register shall once in every three months pay the same to the Treasurer of the City, for the use of said City, and shall annually lay before the Mayor and City Council of Baltimore, a fair account on oath, of his receipts for the said seal, and shall be allowed a commission of five per centum for his trouble and services in the execution of this ordinance.

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Tax on the seal.

Register to account yearly.

Fees of office.

And be it enacted and ordained, That every person, except the officers of the city of Baltimore, requiring for public purposes, the services of said Register, shall pay to him the following fees on the performance of said services, to wit: For making out and authenticating copies of records, fifteen cents for each sheet, containing one hundred words, and so pro rata; for every search, twenty-five cents, and for every certificate to a copy, if required, twenty-five cents.

Approved, April 29th, 1779.

 No. 29.

An Ordinance for the payment of the journal of accounts.

Preamble.

Whereas, it appears by the journal of accounts, of this session, that there is now due from the city of Baltimore, the sum of seventeen hundred and eighty-two dollars and forty-three cents.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Treasurer of the said City shall, and is hereby authorized and required to pay, to the several persons, there executors, administrators, assigns or order, or to such of them as shall apply for the same, the several sums of money allowed to them respectfully, as they appear to be settled and ascertained by the said journal of accounts, out of any money now in the treasury, or that shall come into the treasury, subject to the appropriation of the Mayor and City Council.

Treasurer to pay the journal of accounts.

Approved, April 29th, 1797.

No. 30.

An ordinance fixing the salary and compensation of the officers of the city of Baltimore, for the present year, and for payment of the same.

Whereas, those who dedicate their time, abilities, and labor to the public, ought to receive a reasonable compensation for their services:—

Preamble.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there shall be allowed to the officers or persons hereinafter mentioned, the following compensation for the ensuing twelve months, to be paid by orders, drawn quarterly by the Mayor, on the Treasurer of the City.

Compensation allowed.

To the Register of the City, including stationary and all other expenses—twelve hundred dollars.

Salaries.

To the Treasurer—A commission of one-half per centum for receiving, and one half per centum for paying all public monies.

To the City Commissioners—Each four hundred dollars.

Salaries.

To the Harbor Master—Two hundred and fifty dollars.

To the Superintendant of the machine for cleaning the Basin—six hundred and fifty-six dollars, and sixty-seven cents.

To the clerk of the Centre market—one hundred and sixty dollars.

To the clerk of the Hanover market—eighty dollars.

To the clerk of the Point market—one hundred dollars.

To the clerks of the First and Second Branches of the City Council—five dollars per diem for each day during the session.

To the messengers of the First and Second Branches of the City Council—one dollar and fifty cents per diem for each day during the session.

And be it enacted and ordained, That the compensation to the clerks and messengers of the Branches of the City Council, the printing, stationary, and house rent, be paid out of any unappropriated money in the treasury, by orders drawn by the Mayor on the Treasurer for that purpose, on or before the first day of June next; and that all other compensations shall be paid out of any monies in the hands of the Treasurer, unappropriated, by the ordinances of the corporation.

To be paid out of any monies not appropriated.

Approved, April 29th, 1797.

No. 31.

An ordinance directing the manner of collecting fines not exceeding one dollar, accruing in virtue of ordinances of the corporation of the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby, authorized and required to appropriate a part or portion of all fines imposed in virtue of any law or ordinance, not exceeding one dollar, for the prosecuting and collecting the same; and that he direct the manner of paying the balances of such fines into the Treasury of the City.

The mayor to appropriate a part of the fine for collecting the same. To direct the manner of payment into the treasury.

And be it enacted and ordained, That this ordinance continue until the first day of January next, and to the end of the next session of the City Council which shall happen thereafter.

Continuance.

Approved, May 6th, 1797.

 No. 32.

An ordinance empowering the Mayor of the city of Baltimore to grant licenses for the purposes therein mentioned.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby, authorized and empowered to grant licenses to so many poor persons as to him may appear proper, to permit them to keep tables or baskets on the foot-ways or across the gutters of the streets of the City, with the consent of the occupiers of the houses before which such tables or baskets may be placed for the purpose of exposing to sale fruit, cakes, nuts, and such other articles as have heretofore been customary for persons of that description to sell, anything in any ordinance of the corporation to the contrary notwithstanding.

The mayor to grant licenses.

With the approbation &c.

Continuance. And be it enacted and ordained, That this ordinance continue and be in force until the first day of January next, and until the end of the next session of the City Council that shall happen thereafter.

Approved May 6th, 1797.

No. 33.

A supplement to an ordinance entitled "An ordinance for the inspection of salted provisions imported into, and exported from the city of Baltimore.

A part of the original bill suspended.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That so much of the ordinance entitled "An ordinance for the inspection of salted provisions, imported into and exported from the city of Baltimore," as respects the size and dimensions of all beef, pork and fish barrels brought to and exported from the city of Baltimore be, and is hereby, suspended until the end of the next session of the City Council.

Approved May 6th, 1797.

No. 34.

An ordinance empowering the Mayor to rent a magazine for the storage of gunpowder, and employing a keeper thereof, and for regulating the sweeping of chimnies within the city of Baltimore.

The mayor to receive transfers.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby, authorized and required to receive from the Maryland Insurance Fire Company, a formal transfer of all the right and title of the licensing and regulating the sweeping of chimnies and fixing the rate thereof within the City and pre-

cinets, and also the right of erecting and building, or renting a magazine for storing of gunpowder, agreeably to the Act of incorporation.

And be it enacted and ordained, That the Mayor be, and he is hereby, authorized and empowered to rent a house in some safe place for a magazine, for the storing of gunpowder, until the last day of April next, and to employ an honest and orderly man as a keeper of said magazine for the term aforesaid, taking bond with approved security to the Mayor and City Council, for his faithful execution thereof, for the term aforesaid. To rent a house.

And be it enacted and ordained, That the Mayor be, and he is hereby, empowered to employ a sum of money not exceeding five hundred dollars, for executing the several powers vested in him in virtue of this ordinance. Appropriation.

And be it enacted and ordained, That the Mayor impose and lay such reasonable storage, or rate, for the storage of all gunpowder that shall be stored in the magazine aforesaid, for any time during the said term, for the use of the City. Reasonable storage.

And be it enacted and ordained, That the Mayor contract with, or license such a number of chimney sweeps in the said City and precincts, as to him shall appear reasonable, upon such terms, and under such regulations as have heretofore been established by law, which contracts to continue until the last day of April next. To license sweeps.

Approved May 6, 1797.

No. 35.

A supplement to an ordinance to regulate the riding and driving of horses and carriages through the city of Baltimore.

No person to ride on the footways &c.

Penalty.

Proviso.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That no person or persons shall ride, drive, lead, or place any horse or beast of burden, on any of the paved footways in the city of Baltimore; and every person offending in such case shall forfeit and pay the sum of one dollar, for the use of the City. Provided, that nothing herein contained shall prevent any person or persons from riding, driving, or leading across any of the said footways, any horse or beast of burden, into or out of their respective lots or tenements.

Approved June 26, 1797.

 No. 36.

An ordinance authorizing the Mayor of the city of Baltimore to mitigate fines in certain cases.

Preamble.

Whereas, the commission of many offenses against the ordinances of this corporation may be attended with circumstances of alleviation and excuse, and the judge or justice before whom the same may be tried is not authorized to consider the same in imposing the fine thereto affixed,

Where an offense is submitted in the first instance to the mayor, he may remit any part of the fine belonging to the city.

Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor of the said City hath, and is hereby, granted full power and authority, where the offense shall be submitted to him in the first instance by the party offending, to remit so much of that part of the fine which belongs to the City as to him shall seem just and reasonable, according to the circumstances of

the case; provided, always, that nothing in this ordinance shall be construed to extend to cases where the fine imposed exceeds twenty dollars, or to the costs of prosecution in any case. Proviso.

And be it enacted and ordained, That it shall be the duty of the constable, or other officer who may arrest the party so offending, to inform him of his privilege under this ordinance. Persons arrested to be informed of this privilege &c.

Approved June 26, 1797.

No. 37.

An ordinance directing the manner of paving, amending and repairing the foot-way of the streets, lanes and alleys in the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the owners or possessors of any house or lot, in front of which the street, lane, or alley, has heretofore been paved, or hereafter may be directed to be paved, are required and directed to pave, amend, or repair the footing in such manner and in such time, as shall be directed by the City Commissioners, provided ten days notice be given by the said Commissioners, in some newspaper of the city of Baltimore, directing the paving, amending, or repairing such footway. Owners to pave or repair in front of their lots or dwellings. Proviso.

And be it enacted and ordained, That in case such owner or possessor of such house or lot, doth not pave, amend, or repair the footway aforesaid, agreeably to the directions aforesaid, that then, and in that case, the City Commissioners aforesaid are hereby authorized and directed to contract with any person or persons for paving, amending or repairing the same, for such sum or sums of money as shall be sufficient to pave, amend and repair the same; Owners neglecting or refusing, commissioners to pave or repair.

Owners of lots to pay for paving or repairing with fine.

Fine to be recovered with costs.
Proviso.

If a tenant to deduct the expense from his rent.

City Commissioners to pave, &c.

and to charge the same to such owner or possessor, who shall forfeit the said sum, together with the one-eighth of a dollar per foot in length, as a fine for such neglect or refusal, to the use of the City, to be recovered, with costs, in the same manner as fines are directed to be recovered by the Act of incorporation. Provided always, that the possessor of such house or lot shall in the first instance be obliged to pay such sum or sums of money directed as aforesaid. And in case he is a tenant for not more than five years, he is hereby empowered and directed to deduct the same out of any rent then due, or that may at any time thereafter become due; which shall be allowed him by his lessor in payment of his rent. And the City Commissioners are hereby directed to pave, amend and repair such footway, and the fine arising to pay to the Treasurer of the City.

Approved, June, 26th, 1797.

No. 38.

An ordinance to change and alter the pavement of Liberty street, from the north side of Baltimore street to Howard street.

Commissioners to alter the pavement of Liberty street.

Proviso.

Be it enacted and ordained, by the Mayor and City Council of Baltimore, That the City Commissioners be, and are hereby authorized and directed to change and alter the pavement of all that part of Liberty street, situate and lying between the north side of Baltimore street, and Howard street, in such manner as shall appear to them most advantageous to the inhabitants thereof; Provided, the said Commissioners so pitch and lay the pavement of the said street, that the water of the same to the north of Baltimore street, may pass along Liberty street, southward of Baltimore street, to Howard street, and along Howard street southward, to the end thereof.

And be it enacted and ordained, That the City Commissioners, with the approbation of the Mayor, are hereby empowered to pay the costs of an injunction bill, filed in chancery by George Roberts, and others, against the Special Commissioners of Baltimore town, to prevent their paving the street aforesaid: provided, that said complaints immediately dismiss the said injunction bill.

Commissioners to pay costs of an injunction bill.

Proviso.

And be it enacted and ordained, That the City Commissioners are hereby authorized and directed to issue their warrant to the Collector of the Tax for the city of Baltimore, directing him to levy and collect such balances of the street tax on Liberty street aforesaid; and which arose for the pavement of the same, and has not been heretofore collected, in the same manner as other paving taxes are collected, and pay the same over to the Treasurer of the City.

Commissioners to issue warrant to collector.

Collector to collect balance of paving tax.

And be it enacted and ordained, That the City Commissioners are hereby authorized and directed to draw on the Treasurer of the City, with the approbation of the Mayor, for any sum of money not exceeding five hundred dollars, for the purposes aforesaid.

Commissioners to draw on the treasurer.

Approved, June 26th, 1797.

No. 39.

A supplement to the ordinance to prevent and remove nuisances in the city of Baltimore, and within the precincts thereof, and to provide an uniform mode of cleaning the streets, lanes and alleys within the said City.

Be it enacted and ordained, by the Mayor and City Council of Baltimore, That if any person whatsoever, shall discharge or throw into any of the streets, lanes or alleys of the said City or precincts, any foul or nauseous liquor, or offensive

No person to discharge any foul or nauseous liquor, &c. into any of the streets, &c.

matter, or shall keep, collect, use, or suffer to remain, any such liquor or offensive matter whatever, in any part of the City or precincts, so as to annoy any of the inhabitants thereof; he, she or they so offending shall forfeit and pay for every offense, a sum not exceeding twenty dollars, in case the same be not removed within twenty-four hours after notice thereof, and shall also forfeit and pay the like sum, for every day the same shall be suffered to remain, for the use of the City.

Penalty if not removed in twenty-four hours after notice.

If not removed after notice, commissioners to remove.

Expense of removal a further fine.

And be it enacted and ordained, That if the said person or persons shall, notwithstanding the above provision, neglect to remove such liquor or offensive matter, after notice as aforesaid; the City Commissioners may employ such person or persons as they may think proper, and upon such terms as to them shall seem reasonable and just, to remove from his, her, or their house or lot such liquor, or offensive matter, which said expense shall be considered as a further fine for not removing the same, and shall be recovered as other fines, and applied by said Commissioners for paying the expense of removing the same.

Penalty on persons throwing rubbish into the gutter.

And be it enacted and ordained, That if any person shall throw or cause to be thrown, any stones or rubbish into any gutter in the paved part of the City, so as to obstruct the water running in the same, every such person shall forfeit and pay, for each and every such offense, one dollar for the use of the City.

Approved, June 26, 1797.

No. 40.

An ordinance authorizing the Commissioners of the Middle Bridge to borrow a further sum of money on loan, for the purpose of carrying into execution the objects of their appointment.

Whereas, it is represented to the Mayor and City Council of Baltimore, that the sum of five hundred pounds heretofore borrowed on loan by the commissioners appointed by the act of the General Assembly, for rebuilding the middle bridge over Jones' Falls, is not sufficient to complete the same. Preamble.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the said Commissioners, or any two of them, be, and are hereby authorized and empowered to negotiate and borrow, on loan, from any of the banks in the said City, a sum of money, not exceeding one thousand and fifty pounds, for the purpose of finishing and completing the said bridge, which said money, with the interest thereon, shall be paid to the bank or banks lending the same, in or before the year seventeen hundred and ninety-nine. Commissioners authorized to borrow money, &c. To be paid with interest.

And be it enacted and ordained, That the Corporation and the city of Baltimore, do hereby guarantee the payment of the said loan or loans, and the interest thereon, to such bank as shall advance the same; and shall and will indemnify and save harmless, the Commissioners of the said bridge, who shall negotiate the same, or who shall or may become security for the same, and the revenue of the City is hereby mortgaged for the payment of the same, agreeably to the terms specified by this ordinance. Payment guaranteed. Commissioners indemnified. City revenue mortgaged.

Approved, June 26, 1797.

No. 41.

An ordinance extending the time limited for the collection of the fifteen shilling tax, in an ordinance entitled, "An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same.

Preamble.

Whereas, by the ordinance imposing a tax on the real and personal property within the the city of Baltimore, the Collector of the said tax is ordered and required to give bond in the sum of twenty thousand dollars, that he will well and faithfully complete the said collection on or before the twentieth day of November next; and it being represented to the Mayor and City Council of Baltimore, that the time therein mentioned is too short, and that it would be impossible for the said Collector to complete the same by the time therein specified:

Time extended.

Be it, therefore, enacted and ordained by the Mayor and City Council of Baltimore, That the time mentioned in the aforesaid ordinance, for the completing the said collection, be and is hereby extended until the first day of January, which will be in the year of our Lord, one thousand seven hundred and ninety-eight.

Approved June 26th, 1797.

No. 42.

An ordinance to suspend so much of the ordinance entitled "An ordinance to regulate the cording of fire-wood within the city of Baltimore, as relates to the length of fire-wood brought to the said City for sale.

Preamble.

Whereas, it is represented to the Mayor and City Council of Baltimore, that considerable quantities of fire-wood have been cut and prepared for this market, previous to the passing of the ordinance to

regulate the cording of fire-wood within the city of Baltimore, which is not of the length prescribed by the said ordinance, and cannot be exposed for sale within the said City.

Be it, therefore, enacted and ordained by the Mayor and City Council of Baltimore, that so much of the ordinance entitled "An ordinance to regulate the cording of fire-wood within the city of Baltimore," as relates to the length of fire-wood cut previous to the first day of July, and brought to the said City for sale, be, and is hereby suspended until the first day of January next.

Part of the ordinance to which this is a supplement suspended.

And be it enacted and ordained, That during the suspension aforesaid, the several wood-corders of the city of Baltimore, be and are hereby directed in all cases where wood brought to the said City for sale is not of the length prescribed by the aforesaid ordinance, to make up the deficiency in the height of each and every cord of wood so deficient. Provided it appears to the wood-corder who shall be called upon to examine and pass the same, that the said wood was cut previous to the first day of July in the present year.

Deficiency in length to be made up in height.
Proviso.

Approved, June 26th, 1797.

No. 43.

An ordinance to regulate the weighing of hay, brought to the city of Baltimore for sale.

Be it enacted and ordained, by the Mayor and City Council of Baltimore, That two persons of good repute and skill in weighing of hay, be nominated and appointed weighers of all hay brought to the city of Baltimore for sale, whose continuance in office shall be during pleasure.

Persons to be appointed hay weighers.

Hay except in bundles, to be weighed.

Allowance to be made for moisture.

Hay weighers allowance for weighing.

To give certificate.

Hay to be weighed on the day of delivery. Penalty for neglect or refusal.

And be it enacted and ordained, That all hay of whatsoever kind, except in bundles, which shall hereafter be brought by land or water to the said City for sale, shall be weighed at the rate of one hundred and twelve pounds to the hundred weight by the officer or officers hereafter to be appointed, with proper scales and weights, or machines or engines, to be by them provided for that purpose, who shall make a reasonable allowance for the moisture of said hay; and the said hay-weighers, or their deputies, shall have and receive forty cents for each wagon or cart load of hay weighed by them, and no more, and ten cents for weighing the wagon, cart or carriage upon which the same may have been so brought to the said City, to be paid one-half by the purchaser and the other half by the seller of such hay, and shall give a certificate stating the gross and net weight of said hay and wagon, cart or carriage; and if any seller of hay so brought to the said City shall neglect or refuse to have the same weighed on the day of the delivery thereof, he shall forfeit and pay for every such neglect or refusal one dollar, one-half to the informer and the other half for the use of the City.

Oath.

And be it enacted and ordained, That before either of the said hay-weighers hereafter to be appointed in virtue of this ordinance shall enter upon the execution of his said office, he shall make oath or affirmation, as the case may be, before the Mayor of the said City that he will faithfully and diligently perform and fulfill the duties of an hay-weigher required by this ordinance to the best of his skill and abilities, without favor, affection or partiality.

Hay to be weighed (except in bundles.)

And be it enacted and ordained, That if any person or persons bringing hay by land or water to the said City for sale, except that which is brought for sale by the bundle, shall neglect or refuse to have the same weighed in manner as herein before provided, by some one of the weighers of hay hereafter to be appointed for the said City, every such person

shall forfeit and pay two dollars for every such offense, one-half to the informer and the other half for the use of the said City; and the person or persons who shall bring hay by land or water to the said City for sale shall have the same weighed free and clear of all rubbish, stones, wood, or other improper things concealed therein, under the penalty of five dollars for every such offense, one-half to the informer and the other half for the use of the City.

Penalty.

To be weighed free and clear of rubbish &c.

Penalty.

And be it enacted and ordained, That all hay brought to the said City or precincts thereof for sale by the bundle shall weigh not less than fifty-six pounds to the bundle; and any person or persons selling a bundle or bundles of hay weighing less than fifty-six pounds each shall forfeit and pay for every such offense fifty cents, one-half to the informer and the other half for the use of the City; and if any bundle of hay weighing more than fifty-six pounds offered for sale shall weigh less than the quantity it is said to contain, then and in such case the seller shall forfeit and pay two dollars for each and every such offense, one-half to the informer and the other half for the use of the City.

Hay sold by the bundle to weigh 56 pounds.

Penalty if weighing less.

To weigh the quantity it is said to contain.

Penalty.

And be it enacted and ordained, That if any person or persons whomsoever, after having his or their hay weighed, and having obtained the hay-weigher's certificate specifying the quantity thereof, shall sell or dispose of any part thereof, or in any other manner whatever diminish the same in quantity, thereby to deceive and defraud the purchasers of such hay, such person or persons so offending and being thereof convicted shall forfeit and pay for every such offense twenty dollars, one-half to the informer and the other half for the use of the City.

Sellers to obtain hay-weighers certificate.

Penalty for diminishing quantity after certificate.

And be it enacted and ordained, That the said hay-weighers to be as aforesaid appointed, shall adjust their machine and weights by the standard of weights for Baltimore county at least once in every

Machine to be adjusted once in every 6 months.

Penalty. six months, under the penalty of twenty dollars for every neglect or refusal, one-half thereof to the informer and the other to the use of the City.

Oaths prescribed by law to be taken. And be it enacted and ordained, That before either of the hay-weighers to be as aforesaid appointed shall enter upon the duties of his office, he shall take the several oaths prescribed by law to be taken, and subscribe his belief in the Christian religion.

Approved July 3d, 1797.

No. 44.

An ordinance fixing the compensation of the Treasurer of the city of Baltimore.

Treasurer's compensation. In lieu of commission. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Treasurer of the said City shall have and receive as a compensation for his services for the present year the sum of five hundred and thirty-three dollars and thirty-three cents, in lieu of the commission allowed him by an ordinance entitled "An ordinance fixing the salary and compensation of officers of the city of Baltimore for the present year, and for the payment of the same."

Approved July 12th, 1797.

No. 45.

An ordinance for raising and repaving that part of Water street which is situated between Calvert street and Public alley.

Preamble. Whereas, it appears that the part of Water street situated between Calvert street and Public alley has been originally paved too low to allow a sufficient descent to carry off the water, whereby nuisances

are produced on the grounds contiguous thereto, which under the present circumstances cannot be remedied.

Be it, therefore, enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, authorized and empowered to contract with suitable persons without delay to take up the pavement of Water street, between Calvert street and Public alley, to regulate and repave the same at such height as will in their judgment remedy the present evil occasioned by its low situation.

Commissioners authorized to take up and repave Water street.

Be it enacted and ordained, That the City Commissioners be, and are hereby, authorized and empowered to draw on the City Treasurer for a sum of money not exceeding two hundred dollars, to enable them to carry the provisions of this ordinance into effect.

To draw on the Treasurer.

Approved July 12th, 1797.

No. 46.

An ordinance for the more effectual paving the streets, lanes and alleys in the city of Baltimore.

Whereas, it is represented by the City Commissioners that the present tax for paving is insufficient in many instances to complete the same:—

Preamble.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That as often as the majority of the owners and possessors of any street, lane or alley, shall hereafter petition for the paving of the same, the City Commissioners are hereby authorized, empowered and directed to assess and levy a further sum of twenty-five per centum on the present rate of taxes assessed and levied by the Act

Commissioners authorized to assess a further sum of money for paving the streets.

of Assembly, directing and levying the present rate of assessment for the paving of the streets, lanes and alleys in the city of Baltimore.

Collector to collect the same.

And be it enacted and ordained, That the City Commissioners are directed to issue their warrant, under their hands to the Collector of the City, for the collection of said tax, who is hereby authorized and empowered to collect the same, and pay it over in such manner as he is authorized to collect, and pay the tax for paving the streets aforesaid, which shall be applied by the Commissioners aforesaid, to paving the said street, lane or alley.

Proviso.

And be it enacted and ordained, That before the City Commissioners issue their warrant for the collection of the tax imposed in virtue of this ordinance, that the Mayor approve of the same.

Approved July 12, 1797.

No. 47.

An ordinance directing a general survey of the City and precincts.

Preamble.

Whereas, the Commissioners of Baltimore town were heretofore directed by law to make a correct survey thereof, which said survey has not been yet completed.

And whereas, a correct survey of the City and precincts would be a great security to the property of the inhabitants thereof:

A general survey to be made.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners are hereby empowered and directed to contract with one or more skillful surveyor or surveyors, for the purpose of making a correct general survey

of the city of Baltimore and precincts thereof, under their direction, according to the original location where it can be had, or by the ascertainment of a meridional line; and a proper allowance for the variation of the compass—where proof of the original location cannot be had, having regard in the calculation of the variation of the compass to any proof which may be made to parts of such original location, and to establish and fix permanent boundaries or stones, throughout the same, with proper marks and devices thereon, and shall cause a correct plat or plats with proper explanations of the same to be made, together with any proof by them taken to be reduced into writing: and the Commissioners aforesaid are hereby directed to cause to be made fair duplicates of the said plats and certificates of the said survey of the City and precincts, containing the location thereof; and such other locations and illustrations as they think necessary; and they shall sign their names to each plat and certificate, and return one thereof to the Register of the City of Baltimore, to be by him kept, as the true location of said City and precincts, and the other to be lodged in the office of the City Commissioners, for their use.

Permanent boundaries to be fixed.

Duplicate plats to be made and signed.

One to be returned to the register of the city.

The other lodged with the city commissioners.

And be it enacted and ordained, That if any person shall apprehend himself aggrieved by the determination of said Commissioners in the premises, such person may within three months next, after such determination, appeal from the same to the county court of Baltimore county, which court shall have full power and authority to hear and determine such appeal, and to make all orders necessary for obtaining full information upon the subject of dispute; and shall hear such appeal at the first court, if it can be done with justice to the parties, and being certified to the Commissioners aforesaid, they shall act in conformity thereto, in completing their said survey and location aforesaid.

Persons aggrieved may appeal.

Appeals to be heard the next court.

Commissioners to act in conformity thereto.

And be it enacted and ordained, That the City Commissioners be, and they are hereby, authorized

Commissioners
to draw on the
treasurer.

and empowered to draw on the Treasurer of the City for a sum not exceeding six hundred dollars, to enable them to carry the provisions of this ordinance into effect.

Commissioners
to contract with
surveyor.

And be it enacted and ordained, That the Commissioners aforesaid be, and they are hereby, authorized and empowered, whenever they may find the same necessary, to contract and agree with a Surveyor to attend them in the execution of the duties of them required by ordinance entitled "An ordinance to appoint City Commissioners, whose services shall be paid by the person or persons upon whose application the employing of a surveyor shall by the said Commissioners be found necessary.

Approved July 12, 1797.

No. 48.

An ordinance to fill up a part of Calvert street dock, and remove the nuisance occasioned thereby.

Commissioners
empowered to
fill up a part of
Calvert street
dock.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, empowered to fill up Calvert street dock, not more than seventy-five feet nor less than sixty feet from its northern extremity, as in their judgment may appear proper, and the best calculated to remove the nuisance caused thereby.

To borrow
money.

And be it enacted and ordained, That to defray the expense incurred in the execution of this ordinance, the City Commissioners are hereby authorized to receive on loan, to be by the City repaid in two years, any sum of money not exceeding five hundred dollars, that may be offered to them by the inhabitants or owners of property adjacent to said dock, and to draw on the City Treasury for the deficiency, not exceeding two hundred dollars.

To draw on the
treasurer for de-
ficiency.

Approved July 12, 1797.

No. 49.

A supplement to the ordinance entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned."

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of November next, each flour barrel shall weigh not less than twenty pounds, and each half barrel not less than twelve pounds, which tare shall be marked upon the head of each.

Tare to be marked on the head of each barrel.

And be it enacted and ordained, That in case of sickness or unavoidable absence from the City of the inspectors appointed in virtue of the ordinance to which this is a supplement, (whose duty it shall be to notify the Mayor thereof,) the Mayor may, and he is hereby authorized to appoint a person or persons in his opinion of good repute and well qualified for such service as assistant inspector or inspectors, to perform the duties required of the inspectors by the ordinance to which this is a supplement, during the incapacity of the said inspectors or either of them, and no longer; and the said assistant inspector or inspectors appointed as aforesaid, (after taking the oath or affirmation prescribed to be taken by the said inspectors,) are hereby authorized to inspect and brand any cask of flour in the city of Baltimore, as the inspectors themselves might do.

In case of sickness &c. of inspector, mayor to appoint deputies.

To continue during the incapacity of inspector.

To take the oath.

And be it enacted and ordained, That when any person shall think himself aggrieved by the judgment of any of the inspectors of the said City, it shall and may be lawful for such person to apply to the Mayor or a justice of the peace, who shall at the charge of the complainant, issue his warrant directed to three disinterested persons, well skilled in the manufacture of flour, to review and examine the same, which three persons so as aforesaid appointed, shall carefully review and examine the same; and if they or any two of them shall pass

Persons aggrieved may appeal.

and declare the same to be of a quality different from that adjudged by the said inspector, then and in such case the said inspector shall erase the brand or broad arrow, and put such brand on the said flour as they or any two of them shall adjudge and determine, and the corporation shall pay the said charge; but if on such review the judgment or the said inspector shall be confirmed, then and in such case the owner of such flour shall pay the costs of such review.

Middlings to be branded with the word middlings only.

And be it enacted and ordained, That the said inspectors shall inspect and brand with the word middlings only, on the quarter of each cask, all middlings made of good sound wheat, (and not otherwise,) which flour so branded may be exported from the city of Baltimore, in the same manner as any other flour may by this ordinance be exported.

Part of the ordinance to which this is a supplement, repealed.

And be it enacted and ordained, That so much of the ordinance to which this is a supplement as authorizes and empowers the said inspectors appointed in virtue of this ordinance to appoint deputies with the approbation of the Mayor; and so much of the aforesaid ordinance as prohibits the exportation of middlings, and declares them unmerchantable be, and is hereby repealed.

Approved July 12th, 1797.

No. 50.

An ordinance for the payment of the journal of accounts.

Preamble.

Whereas it appears by the additional journal of accounts of this session, that there is now due from the city of Baltimore, the sum of three hundred and eight dollars and twenty-five cents.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Treasurer of the said City shall, and he is hereby authorized and required to pay to the several persons, their executors, administrators, assigns or order, or to such of them as shall apply for the same, the several sums of money allowed to them respectively, as they appear to be ascertained by the said journal of accounts, out of any money now in the treasury, or that shall come into the treasury subject to the appropriation of the Mayor and City Council.

Treasurer directed to pay the journal of accounts.

Approved July 13th, 1797.

No. 51.

An ordinance to authorize the members of the Masonic Federal Lodge, No. 21, and the members of the Masonic Washington Lodge, No. 3, to erect a building for public purposes on the market square on Fell's point, and to authorize the City Commissioners to remove the Fell's market house from the place where it now stands, to the middle of Market street.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the members of the aforesaid Lodges be, and they are hereby authorized to erect at their own expense, under the direction of the City Commissioners, a house on the market square, in the eighth ward of said City, of the size, dimensions and agreeably to the plan signed and presented by the Presidents of said Lodges to the City Council; Provided, that the members or the President of each of the said Lodges give bond with security, to be approved by the Mayor, to the Mayor and City Council of Baltimore, in the sum of four thousand dollars, for the erecting and completing the said building, agreeably to the plan aforesaid, which said plan shall be and is hereby directed to be lodged with the Register of the City; and the said building shall be erected and finished on or before the last day of November, seventeen hundred and ninety-eight.

Masons' lodge to be erected on the market square.

Proviso.

Agreeably to plan filed.

Plan to be filed with register.

Part vested in the lodge. And be it enacted and ordained, That the members of the Lodges aforesaid, shall be, and they are hereby invested with an exclusive right and privilege of occupying and enjoying forever, for the uses and purposes of said Lodges, the third story of the said building;—and the other parts thereof shall be vested in the Mayor and City Council of Baltimore, for the use of the City.

Part vested in the corporation.

Commissioners to remove Fell's market-house. And be it enacted and ordained, That the City Commissioners be, and they are hereby authorized upon bond being given as aforesaid, to remove the Fell's market house from where it now stands, to the middle of Market street, and after the first day of June next, to draw on the Treasurer of the City for one thousand dollars to enable them as aforesaid to remove the said market house, and to pave the inside and footways thereof, not exceeding fourteen feet from the outside of the pillars of the said market house.

Appropriation.

Market house &c. to be paved.

Approved July 17th, 1797.

No. 52.

A supplement to the ordinance entitled "An ordinance for the inspection of salted provisions, imported into and exported from the city of Baltimore.

Preamble. Whereas, it is considered dangerous to the health of the inhabitants of this City to suffer or permit unsound salted provisions to remain within the same.

Unsound salted provisions heretofore condemned to be removed. Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That any person or persons having any salted provisions heretofore condemned as unsound by the inspector, and remaining within the said City or precincts thereof, shall within six days after the passing of this ordinance, remove the same three miles or upwards

from the said City, under the penalty of two dollars Penalty. for each and every barrel not removed as aforesaid, one-half to the informer, and the other half for the use of the city; anything in the ordinance to which this is a supplement, to the contrary notwithstanding.

And be it enacted and ordained, That any owner or owners, consignee or other persons bringing to market, or having any salted provisions of any kind which shall or may hereafter be condemned as un- Unsound salted provisions to be removed in six days after condemnation. sound by the inspector, shall remove the same three miles or upwards from the said City within six days after condemnation, under the penalty of two dollars for each and every barrel not removed as aforesaid, one half to the informer, and the other half Penalty. for the use of the City.

And whereas it may sometimes be found necessary and proper to remove the said salted provisions, condemned as aforesaid, in less time than is specified by this ordinance.

Be it enacted and ordained, That as often as it shall appear to the Mayor from the report of the said inspector, or from the information of any inhabitant of the said City, that such salted provisions ought to be removed in a less time than six days, he shall be authorized to order the same to be immediately removed to the distance aforesaid; and any Or sooner if required by the mayor. person or persons neglecting or refusing to comply with such order shall forfeit and pay two dollars for Penalty. every four hours for each and every barrel which shall not be removed as aforesaid, for the use of the City.

Approved July 17th, 1797.

No. 53.

An ordinance to diminish the number of dogs in the city of Baltimore.

Preamble. Whereas the increase of dogs in the city of Baltimore has become a public nuisance, for remedy whereof—

Persons keep-
ing an animal
of the dog kind
to put a collar
about its neck.

To lodge a de-
scription with
the collector.
Tax.
Penalty.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That every person or persons keeping an animal of the dog kind within the city of Baltimore shall place or put a collar about its neck, with the owner's name at length; and shall on or before the first day of August in every year lodge a written description of every such animal with the Collector of the City Tax, and pay to the said Collector the sum of one dollar as a tax for every such animal, under the penalty of three dollars for every such animal by him or them kept, or permitted to be kept, or refused to remain about their houses without a collar, and without having made a return and payment therefor to the collector aforesaid, one-half to the informer and the other half for the use of the City.

Collector to
keep a list of all
returns.

Money to be
paid to the
treasurer.

And be it enacted and ordained, That the said Collector shall within one month from the said first day of August in every year make out an alphabetical list of all returns to him made in virtue of this ordinance, subject to the inspection at all times of any citizen requiring the same, and shall pay over the money by him received to the Treasurer of the City, deducting therefrom ten per centum for his trouble in making out said list and receiving the money.

Dogs without
collars, &c. to
be killed.

And be it enacted and ordained, That every such animal going at large and not having a collar as aforesaid, or if having a collar and not returned and the tax paid to the Collector aforesaid, shall be

liable to be killed by any person whomsoever, and it shall be the duty of the several constables in the said City to assist in the execution of this ordinance. Duty of constables.

Approved July 17, 1797.

No. 54.

An ordinance to raise and repair part of Dutch alley.

Whereas, the paving of Liberty street has prevented the water from running out of Dutch alley into Liberty street, to the injury of sundry inhabitants thereof: Preamble.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, required to cause the pavement of Dutch alley to be raised so as to convey the water from said alley to Liberty street, and to repave the same; and the said Commissioners are hereby empowered to draw on the City Treasurer for any sum not exceeding one hundred and twenty dollars to complete the same. Dutch alley to be raised. Appropriation.

Approved July 17, 1797.

No. 55.

A supplement to the ordinance entitled "An ordinance to preserve the health of the City, and to prevent the introduction of pestilential and other infectious diseases into the same.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That whenever the Health Officer or the Commissioners of Health shall order any damaged hides, damaged coffee or other damaged goods found within the City, to be Damaged hides, &c. to be removed.

removed therefrom to any distance not exceeding three miles, and the person or persons owning, or having charge of such articles, shall not comply with the said order within six hours thereafter, every person so offending, shall forfeit and pay the sum of twenty dollars for every such neglect or refusal, and the like sum for every hour the same shall thereafter so remain, for the use of the City.

Penalty.

And be it enacted and ordained, That from and after the passing of this ordinance, to the first day of December next, every master, or other person having the command of any vessel whatsoever, coming from beyond the seas, shall bring such vessel to, at or below the fort, and there remain until visited by the Health Officers; and if any master or other person having the command as aforesaid, shall bring such vessel nearer to the City than the fort, or shall leave such vessel and come on shore before the Health Officer hath been on board, or before he shall have obtained permission from the Health Officer, he shall forfeit and pay for every such offense the sum of twenty dollars, for the use of the City. And if any other person on board shall leave such vessel and come on shore, or any person shall go on board such vessel before the Health Officer hath been on board, he or they shall forfeit and pay for every such offence the sum of twenty dollars, for the use of the City.

Vessels coming from beyond seas to come to below the fort.

To be visited by health officer.

Not to come on shore without permission.
Penalty.

No person to go on board before visited by the health officer.

Penalty.

Approved July 17, 1797.

No. 56.

A further Supplement to the ordinance entitled "An ordinance to preserve the health of the City, and to prevent the introduction of pestilential and other infectious diseases into the same."

Be it enacted and ordained, by the Mayor and City Council of Baltimore, That whenever the Mayor shall issue a proclamation forbidding the entrance

Mayor may issue proclamation.

into the City, of persons or things from any infected place on the continent, and it shall appear to him (with the concurrence of a majority of the Commissioners of Health not necessary to forbid the entrance of all persons or things therefrom, he may in such proclamation permit the entrance of such persons or things as may therein be designated, whom he may direct previous to their entrance to be examined by a physician or physicians to be appointed by him for that purpose.

And be it enacted and ordained, That the Commissioners of Health when thereto requested by the Mayor, shall provide a house or houses, or tents, at such a distance from the City as the Mayor shall approve of, on or near the road on which travelers shall pass from such infected places for their accommodation during their detention.

Health Commissioners when requested to provide houses, &c.

And be it enacted and ordained, That every person wittingly and knowingly offending against the directions of said proclamation, shall forfeit and pay one hundred dollars, one-half to the informer and the other half to the use of the City.

Penalty on persons offending against proclamation.

And be it enacted and ordained, That all necessary expenses that may be incurred in carrying the provisions of this ordinance into effect, shall be defrayed by the corporation.

Expenses to be paid by the corporation.

Approved September 4th, 1797.

No. 57.

A Supplement to the ordinance entitled "An ordinance directing the appropriation of certain sums of public money for the use of the city of Baltimore.

Whereas, it is represented by the City Commissioners, that the money appropriated to the cleaning and keeping the streets in repair, paving and other expenses and contracts of their board is not sufficient for that purpose.

Preamble.

A further sum of money appropriated.

Be it enacted and ordained, by the Mayor and City Council of Baltimore, That there be appropriated to the cleaning and keeping the streets in repair, paving and other expenses and contracts of the City Commissioners, to be paid out of any unappropriated money in the treasury, a further sum of money not exceeding two thousand dollars.

Approved September 5th, 1797.

No. 58.

A further Supplement to the ordinance entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned.

Preamble.

Whereas, by the supplement to the ordinance, entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned," it is enacted and ordained, that from and after the first day of November, in the present year, each flour barrel shall weigh not less than twenty pounds; and each half barrel not less than twelve pounds, which tare shall be marked upon the head of each,

Preamble.

And whereas, it is represented to the Mayor and City Council of Baltimore, that the millers and coopers had prepared considerable quantities of stuff for barrels previous to the passing of the aforesaid supplement, which when made up would not weigh the number of pounds required by the aforesaid supplement, and remains now useless, and must be lost unless that part of the aforesaid supplement is altered or repealed. And whereas, it appears to the Mayor and City Council, that it would be impolitic and improper to enforce that part of the aforesaid supplement at this session of the year—

Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That so much of the aforesaid supplement as restricts the weight of flour barrels to twenty pounds, and the weight of half barrels to twelve pounds, be, and is hereby, suspended until the first day of March next.

Part of the ordinance to which this is a supplement suspended.

Approved Nov. 20, 1797.

No. 59.

A supplement to the ordinance entitled "An ordinance to regulate the several markets within the city of Baltimore."

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passing of this ordinance, all persons using the trade or occupation of butchers shall have right, and they are hereby permitted to carry all kinds of meat on wheelbarrows to their respective stalls or shambles, in the several market houses of the City, in the morning at any time before sunrise of the day on which the same shall be so carried; and shall and may convey and carry on wheelbarrows all kinds of meat from their respective stalls in the several market houses within the City, at any time after the hour of nine o'clock in the morning, during the months of April, May, June, July, August and September; and at any time after the hour of ten in the morning, during the months of October, November, December, January, February and March; anything in the ordinance to which this is a supplement, to the contrary notwithstanding:—Provided, that the said wheelbarrows when not in use or employed as hereby permitted, shall be and remain subject to all the regulations of the ordinance to which this is a supplement.

Butchers may use wheelbarrows in the market houses before sunrise, &c.

Proviso.

And whereas it is found by experience, that great advantages would result to the citizens at large, and conduce much to their general ease and convenience,

if persons bringing provisions by water to the city of Baltimore for sale, were permitted to sell the same on board the boats or vessels in which they are or may be brought.

Be it therefore enacted and ordained, That so much of the ordinance to which this is a supplement, as prohibits the purchase and sale out of the said market-houses, of the several kinds of provisions brought by water, in the said ordinance directed to be sold at the markets of the said City, be and is hereby repealed.

Part of the ordinance to which this is a supplement repealed.

And be it enacted and ordained, That from and after the first day of January next, no markets shall be held after the hour of three o'clock, on any day except Saturday, any thing in any ordinance to the contrary notwithstanding; and every person buying or selling any article of provision, after the above hour at any of the market-houses within the said City, except meat killed and sold by butchers, shall forfeit and pay for every such offence the sum of five dollars, one half to the informer, and the other half to the use of the City.

No markets to be held after three o'clock.

Except on Saturday.

No person to buy in market after three o'clock.

Except butchers meat.

Penalty.

Approved November 30th, 1797.

No. 60.

An ordinance appropriating a sum of money for improving the Centre Market.

City Commissioners authorized to pave the lower Centre market house, &c.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners are hereby authorized and directed to have that part of the Centre market space, between Water street and Second street, with the foot-ways of the same filled up and paved, and to cause to be erected shambles in the market-house situate thereon, and to have erected and procured such stalls, shelves,

tables, and other accommodations in the Centre market house, and market space as to them shall seem expedient, and make such regulations for the same as to them shall seem proper.

And be it further enacted and ordained, That the said commissioners be authorized to draw on the Treasurer of the City for any sum not exceeding one thousand dollars, to defray the expense of carrying this ordinance into effect. Appropriation.

Approved November 20th, 1797.

No. 61.

A supplement to the ordinance, entitled "An ordinance respecting the night watch and lamps in the city of Baltimore.

Whereas, a contract was heretofore entered into with a certain Jacob L. Betlinger, for the erecting a certain number of lamps in the city of Baltimore, and for furnishing the same with oil, and causing the same to be lighted, until the first day of January next; and whereas, the said contract will expire on the day and at the time aforesaid, and it will be requisite and necessary that further provision be made for the same: Preamble.

Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That the (present Commissioners of the watch and for lighting the city of Baltimore) in conjunction with the Mayor, be, and they are hereby, authorized and appointed to contract for the watching and lighting of the city of Baltimore, for the year ensuing, in such manner and upon such terms as to them may appear most beneficial and advantageous to the said City. Commissioners in conjunction with the Mayor to contract for lighting the city.

And be it enacted and ordained, That the Commissioners aforesaid, in conjunction with the Mayor, be, and they are hereby, authorized and directed to contract with a suitable person or persons, for the making and erecting in their discretion, any number of additional lamps not exceeding thirty, and to cause the same or such part of the said lamps as they may deem sufficient for the present use of the said City, to be erected in such places as to them shall appear most to require the same, and to cause the same to be lighted in the same manner as the other lamps are lighted in the said City.

Additional
lamps.

Approved Nov. 28, 1797.

No. 62.

An ordinance to improve and repair the Hanover Market house.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners are hereby authorized and directed to have such part or parts of the Hanover market, on Hanover street, and the footways thereof (not already paved) paved and repaired; to cause shambles to be erected therein, and to have procured and erected such stalls, shelves, tables or benches, and other accommodations in the said market house and market space, as to them shall seem expedient, and make such regulations for the same as to them shall appear proper.

City Commis-
sioners author-
ized to repair
Hanover market
house.

And be it further enacted and ordained, That the said Commissioners be, and they are hereby, authorized to draw on the Treasurer of the City for any sum for the purposes aforesaid, not exceeding five hundred dollars.

Appropriation.

Approved Nov. 27, 1797.

No. 63.

An ordinance for making a further appropriation for the Health Department.

Whereas, it is found that the sum heretofore ap- Preamble.
propriated for the Health Department is inadequate
for the purposes thereof.

Be it enacted and ordained by the Mayor and
City Council of Baltimore, That there be appro- Appropriation.
priated for defraying the expenses of the Commis-
sioners of Health, out of any unappropriated mon-
ies in the treasury, a further sum not exceeding two
thousand dollars.

Approved Nov. 30th, 1797.

No. 64.

An ordinance to regulate the size and dimensions of bricks,
made within the city of Baltimore, or offered for sale within
the same.

Be it enacted and ordained by the Mayor and
City Council of Baltimore, That all bricks brought
into the city of Baltimore for sale (except those im-
ported from foreign countries and those already
made,) shall not be less than the following dimen-
sions, to wit:—place brick, nine inches long, two
inches and one-half of an inch thick, and four
inches and one quarter of an inch wide; the stock
brick not less than nine inches long, two inches and
five-eighths of an inch thick, and four inches and
one-quarter of an inch wide; and if any person or
persons shall sell to any person, for use within the
city of Baltimore or exportation, any place or stock
bricks of less size than before prescribed, every such
person shall forfeit and pay one dollar for every

Dimensions of
bricks.

Penalty on per-
sons offending
against this or-
dinance.

thousand bricks, and so pro rata for any less numbers so sold, one-half thereof to the informer and the other for the use of the City.

Approved Jan. 6, 1797.

No. 65.

A supplement to the ordinance entitled "An ordinance to authorize the members of Masonic Federal Lodge, No. 21, and the members of the Masonic Washington Lodge No. 3, to erect a building for public purposes on the market square on Fell's Point, and to authorize the City Commissioners to remove the Fell's Point market house from the place where it now stands to the middle of Market street.

Preamble.

Whereas, by the ordinance to which this is a supplement, the members of the aforesaid lodges were authorized to erect a building on the market square on Fell's Point, for the purposes therein mentioned, and were thereby required to give bond to the Mayor and City Council of Baltimore, for the performance of the same: and whereas, they have hitherto neglected to give bond as the aforesaid ordinance requires.

City Commissioners authorized to remove Fell's market house.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, authorized to remove the Fell's market house from the place where it now stands into the market space, so as to range the middle of the said house with the centre of Market street, beginning for the same at the distance of forty feet northward from the line of George street, and extending the said market house thence northward, and after the first day of June next to draw on the City Treasurer for one thousand dollars, to enable them as aforesaid, to remove the said market house, and to pave the inside and footways thereof, not exceeding fourteen feet from the outside of the pillars of the said market house, any thing in any ordinance to the contrary notwithstanding.

To draw on the Treasurer.

Approved January 6, 1798.

No. 66.

An ordinance extending the time limited for the collection of the fifteen shilling tax, imposed by an ordinance entitled "An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the time limited for the collection of the fifteen shilling tax, imposed by an ordinance, entitled "An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same, and extended by a supplement to the said ordinance to the first day of January last past, be and is hereby extended until the first day of March next. Time extended.

Approved Jan. 6th, 1798.

 No. 67.

An ordinance for the payment of the journal of accounts.

Whereas, it appears by the additional journal of accounts of this session, that there is now due from the city of Baltimore, the sum of fifteen hundred and nine dollars and fifty cents. Preamble.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Treasurer of the said City shall, and he is hereby authorized and required, to pay to the several persons, their executors, administrators, assigns or order, or to such of them as shall apply for the same, the several sums of money allowed to them respectively, as the same appear to be ascertained by the said journal of accounts, out of any money now in the treasury, or that shall come into the treasury subject to appropriation of the Mayor and City Council. Treasurer directed to pay the journal of accounts.

Approved Jan. 6th, 1798.

No. 68.

An ordinance for the relief of Charles Davidson.

Preamble.

Whereas, Charles Davidson, of the city of Baltimore, has received from the State of Virginia, a quantity of flour not branded agreeably to the ordinance entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned and the same cannot be passed and branded unless permitted by ordinance.

Inspector authorized to pass flour not branded agreeably to ordinance.

Be it therefore enacted and ordained, by the Mayor and City Council of Baltimore, That the inspector of flour for the second district of the city of Baltimore, be authorized and empowered to pass and brand seventy barrels of flour, the property of the said Charles Davidson, not branded agreeably to the ordinance entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned, provided the same be in every other respect merchantable.

Approved February 20th, 1798.

 No. 69.

An ordinance for the establishment of an hospital for the relief of indigent sick persons, and for the reception and care of Innatics.

Preamble.

Whereas, the General Assembly of Maryland, at their last session, have passed a law directing the Treasurer of the State to pay to the Mayor of the city of Baltimore the sum of eight thousand dollars, to be applied to the establishment of a common State hospital in or near the city of Baltimore; and, whereas, the founding of so beneficent an institution is deserving of immediate attention; therefore,

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor, by and with the advice and consent of Jeremiah Yellott, Richard Lawson and Alexander M'Kim, or any two of them, shall and he is hereby, directed to purchase in fee simple a suitable piece of ground, in or near the city of Baltimore, whereon an hospital may be erected, and that he will cause the same to be conveyed in due form of law to "the Mayor and City Council of Baltimore" and their successors.

Mayor to purchase a lot of ground

And be it enacted and ordained, That the Mayor, by and with the advice and consent of the said Jeremiah Yellott, Richard Lawson and Alexander M'Kim, or any two of them, shall, and he is hereby, directed to cause to be built on the said piece of ground an hospital fit for the reception of indigent sick persons and of lunatics, and by and with the advice and consent of the said Jeremiah Yellott, Richard Lawson and Alexander M'Kim, or any two of them, he is hereby authorized and empowered, by contract or otherwise, to build and finish the same.

To cause an hospital to be built.

And be it enacted and ordained, That the Mayor shall annually render to the City Council a particular account of the receipts and expenditures of all monies entrusted to him for the purposes of this ordinance, and also of the progress and state of the building.

To render accounts annually

And be it enacted and ordained, That in case of the death, resignation, removal or refusal to act of any of the said Commissioners, the Mayor, by and with the advice and consent of the remaining Commissioners, shall fill up such vacancy.

Vacancies how filled.

Approved Feb. 20, 1798.

No. 70.

An ordinance to repeal an ordinance entitled "An ordinance to regulate the size and dimensions of bricks made within the city of Baltimore.

Brick law re-
pealed.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the ordinance entitled "An ordinance to regulate the size and dimensions of bricks made within the city of Baltimore," be, and the same is hereby, repealed.

Approved Feb. 28th, 1798.

No. 71.

An ordinance to regulate the inspection of fire-wood brought by land to the city of Baltimore for sale, and for other purposes therein mentioned.

Wood to be
carried to stands

Stands appoint-
ed.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be four established stands or places within the said City where all fire-wood brought by land to the said City for sale or deliverable by special contract shall first be carried, before the same is delivered, sold or offered for sale, to wit: one stand in Liberty street, one stand in Bridge street continued, one stand in York street, and one stand in Market street, on Fell's Point.

Inspectors to be
appointed.

And be it enacted and ordained, That four persons be nominated and appointed inspectors of all fire-wood brought by land to the said City for sale, or deliverable by particular contract, to wit: one for the stand in Liberty street, one for the stand in Bridge street continued, one for the stand in York street, and one for the stand in Market street, on Fell's Point.

And be it enacted and ordained, That all fire-wood brought by land to the city of Baltimore for sale, or deliverable by special contract, shall, before the same is delivered or sold, or offered for sale, be carried to one of the several stands before mentioned, there to be inspected, measured and passed by the inspector to be appointed for that purpose, whose duty it shall be, immediately on its coming to his stand, to inspect, measure and pass the same; and to furnish the owner or possessor of such wood with a written or printed certificate under his hand, specifying the quantity thereof and the day when inspected, provided the said wood, for the purpose of measuring the same, be not taken out of the wagon, cart or other carriage.

Their duty.

Proviso.

And be it enacted and ordained, That all fire-wood brought by land to the said City for sale, or deliverable by special contract, shall be at least four feet in length, including one-half of the kerf, and not less than two inches diameter at the small end, and shall be measured, inspected and passed by the wood inspector for the stand where such wood shall be carried; and every cord of wood shall be eight feet in length, four feet in breadth, and four feet in height; and the said wood inspectors are hereby directed to make the proper allowance for any loss which may be sustained in the measure by the crooked or decayed wood, and they shall have and receive for their trouble six cents for each and every load of wood so inspected, measured and certified by them, to be paid by the seller of such wood.

Dimensions.

Allowance to be made for crooked wood &c.

Compensation to inspectors.

And be it enacted and ordained, That if any person or persons, bringing or sending any fire-wood by land to the said City, for sale, or deliverable by special contract, shall neglect or refuse to carry the same to one of the stands appointed by this ordinance, or shall deliver, sell, or offer the same for sale, before it has been inspected, measured and certified by one of the wood inspectors for the said City,

No wood to be sold until inspected, &c.

Penalty. every such person or persons, shall forfeit and pay one dollar for every such offence, one half to the informer and the other half for the use of the City.

And be it enacted and ordained, That if any person or persons, shall purchase and receive any fire-wood brought by land to the said City for sale, not inspected and certified by one of the several inspectors to be appointed for that purpose, every such person or persons so offending against this ordinance,

No wood to be bought until inspected, &c.

Penalty. shall forfeit and pay one dollar for every such offence, one half to the informer and the other half for the use of the City.

And be it enacted and ordained, That if any person or persons whomsoever, after having his wood inspected and measured, and having obtained the wood inspector's certificate, specifying the quantity thereof, shall sell or dispose of any part thereof, or in any other manner whatsoever diminish the same in quantity, or shall deliver, sell or dispose of the same by a false certificate, thereby to defraud and deceive the purchaser of such wood, every such person or persons so offending, and being thereof convicted, shall forfeit and pay five dollars for every such offence, one half to the informer and the other half for the use of the City.

Penalty for selling by false certificate, &c.

Inspector's oath. And be it enacted and ordained, That each of the said wood inspectors, so as aforesaid to be appointed, shall, before he enters upon the execution of his appointment, make oath or affirmation as the case may be, that he will faithfully execute the office of wood inspector of the city of Baltimore, for the stand to which he shall be appointed, to the best of his skill, knowledge and ability, without favor, affection or partiality.

And be it enacted and ordained, That no wood inspector by himself, or by any other person or persons whomsoever, for or in trust for him, shall buy, trade or barter for any fire-wood, on the way to or

No wood inspector, &c., to purchase wood more than for family use.

brought to the said City for sale, other than for his own family's use, under the penalty of five dollars for every such offence; one half to the informer, and the other half for the use of the City.

And be it enacted and ordained, That before any of the wood inspectors hereafter to be appointed in virtue of this ordinance, shall enter upon the duties of his appointment, he shall give bond in the sum of ^{To give bond.} one hundred dollars, with security to be approved of by the Mayor, to the Mayor and City Council of Baltimore, for the faithful discharge of the several duties required by this ordinance, and shall take the several oaths prescribed by law to be taken, and subscribe his belief in the christian religion.

And be it enacted and ordained, That this ordinance, and every matter, clause and thing therein ^{Commencement.} contained, shall be in full force and operation on and after the first day of September next, and not before.

Approved Feb. 28th, 1798.

No. 72.

A further additional supplement to the ordinance entitled "An ordinance to preserve the health of the City, and to prevent the introduction of pestilential and other infectious diseases into the same."

Be it enacted and ordained by the Mayor and City Council of Baltimore, That whenever the Health Officer or the Commissioners of Health shall order any damaged hides, damaged coffee, or other ^{Damaged hides, &c., to be removed.} damaged goods found within the City to be removed therefrom to any distance not exceeding three miles, and the person or persons owning or having charge of such articles shall not comply with the said order within six hours thereafter, every person so offend-

Penalty. ing shall forfeit and pay the sum of twenty dollars for every such neglect or refusal, and the like sum for every hour the same shall thereafter so remain, for the use of the City.

And be it enacted and ordained, That from the first day of May to the twentieth day of November yearly and every year, every master or other person having the command of any vessel whatsoever coming from any foreign port, and all other vessels coming from suspected places declared to be so by the Mayor of said City, shall bring such vessel to, at or below the fort, and there remain until visited by the Health Officer; and if any master or other person having the command as aforesaid shall bring such vessel nearer to the City than the fort, or shall leave such vessel and come on shore before the Health Officer hath been on board, or before he shall have obtained permission from the Health Officer, he shall forfeit and pay for every such offence the sum of twenty dollars, for the use of the City; and if any other person on board shall leave such vessel and come on shore, or any person shall go on board such vessel before the Health Officer hath been on board, he or they shall forfeit and pay for every such offence the sum of twenty dollars, for the use of the City.

Vessels coming from suspected places to come to below the fort.

To be visited by health officer.

Not to come on shore without permission.

Penalty.

No person to go on board before visited by health officer.

Penalty.

Approved Feb. 28th, 1798.

No. 73.

An ordinance for the admission and regulation of brokers.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of April next no person shall exercise the employment of a broker within the city of Baltimore in making bargains between merchant and merchant, or other persons concerning merchandise,

Brokers to obtain license.

insurance or any other matter or thing whatsoever, until he shall have previously obtained from the Mayor a license of admission under the seal of the corporation.

And be it enacted and ordained, That upon the admission of any broker, he shall take an oath or affirmation, as the case may be, to the effect following, viz :

I, A B, do solemnly promise and swear, or affirm, ^{Oath.} that I will truly, honestly and faithfully execute and perform the office and employment of a broker between party and party in all things appertaining to the duty of the said office and employment, without fraud or collusion, and to the best of my skill and knowledge.

And be it enacted and ordained, That no person shall be admitted to be a broker as aforesaid until he shall with good and sufficient sureties, to be approved by the Mayor, enter into an obligation to the Mayor and City Council of Baltimore, in the penal sum of fifteen thousand dollars, conditioned to the effect following, viz :

The condition of this obligation is such, that if the ^{Condition.} said A B do, and shall, well and truly use, execute and perform the office and employment of a broker between party and party without fraud, collusion, imposition, or any corrupt or crafty devices, and do and shall faithfully execute every trust committed to him as broker, then this obligation to be void, otherwise to remain in full force and virtue.

And be it enacted and ordained, That the license of admission granted as aforesaid shall have ^{License to be granted yearly.} continuance only for the term of one year from the date thereof, and every broker desirous of renewing his license shall apply for the same to the Mayor each and every year.

And be it enacted and ordained, That if any person, not being admitted as aforesaid, shall act as broker within the city of Baltimore, he shall forfeit one hundred dollars for each and every offence, to be recovered by action of debt in Baltimore county Court for the use of the corporation; and if any person shall knowingly employ any person as a broker not being admitted as aforesaid, he shall forfeit one hundred dollars for each and every offence, to be recovered and applied as aforesaid.

No person to act as broker without license.

Penalty.

And be it enacted and ordained, That every person obtaining a license of admission as aforesaid shall for each and every such license pay the Mayor, for the use of the corporation, the sum of fifty dollars.

Tax of admission.

And be it enacted and ordained, That if any person whatsoever shall sustain any injury or damage from any act or default of a broker contrary to the tenor of his obligation given as aforesaid, then and in such case such person may institute an action in Baltimore county Court for his use and benefit, in the name of the Mayor and City Council of Baltimore, upon the obligation given as aforesaid by such broker, and in such action he shall recover judgment for the amount of damages sustained by him; and in all such actions the same principles of law, the same proceedings and pleadings shall prevail as do obtain in actions prosecuted by individuals upon bonds given by public officers to the State of Maryland, with collateral conditions.

Persons injured may commence suit.

Manner of prosecution.

Approved Feb. 28th, 1798.

No. 74.

An ordinance declaring certain duties and powers of the Mayor and Register.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor shall receive ^{Mayor to receive the city seal, &c.} into his care and keeping, the corporate seal of the city of Baltimore, and shall use the same and no other in all such cases as have been or may be hereafter provided for by the laws of the United States, the laws of the several States of the United States, or the ordinances of this corporation, and in all such cases as by the usage and custom of nations it is necessary to use and affix a corporate seal, and in all other cases where application shall be made therefor by any person or persons.

And be it enacted and ordained, That the Register shall receive and take into his charge and keeping, ^{Register to receive the records &c.} all the records, papers and proceedings of the said corporation, and shall receive and safe keep all the ordinances and all the votes and proceedings of the City Council after each and every session, and shall also receive and safe keep each and every return of the election of members of the First Branch, and of electors of the Mayor and members of the Second Branch, and each and every return of the election of the Mayor, and of the members of the Second Branch.

And it shall be his duty to keep in a book in folio, to be provided for that purpose, an exact registry of all nominations, appointments and commissions of every officer of the corporation. ^{To record nominations, &c.}

And be it enacted and ordained, That the Register shall, and he is hereby, directed immediately after each and every session to cause to be printed ^{To cause the ordinances to be printed.} the ordinances of such session, upon terms the most economical that can be effected, and he is hereby

directed to superintend the same, and in conjunction with the Mayor to examine with care the proof sheet of each and every ordinance.

To examine with Mayor the proof sheet.

And be it enacted and ordained, That the Register shall receive and take into his charge all monies now belonging or which shall or may hereafter belong to the corporation by virtue of any ordinance or otherwise, and he shall deposit each and every sum of money, immediately after the receipt thereof, in the bank of Baltimore, in the name of "the Mayor and City Council of Baltimore," and shall draw checks for the same as Register, all which checks shall be countersigned by the Mayor, and he is hereby directed to make no payments but by checks on the bank, and to draw no check unless countersigned as aforesaid, and in favor of some person having a just claim against the corporation to the amount of such check. And the Register is hereby further directed to keep a bank book, which shall contain regular entries of all monies by him deposited, and of all checks by him drawn, with the dates thereof, and with the names of the persons in whose favor the same may be drawn; and he shall moreover keep fair and regular accounts in a book or books in folio, of all monies by him received and expended on account of the corporation, and he shall annually, or oftener if required by the Mayor, ay before him a particular account of his receipts and expenditures, together with his bank book, his returned crossed checks, and the vouchers whereon such checks were drawn as aforesaid, and in case of the death, removal or resignation of the Register, he, or as the case may be, his executors or administrators shall pay over to his successor in office all such balances as upon a final settlement of his accounts shall be found to remain in his hands, and shall deliver up to such successor all his books of accounts and all official papers and documents in his possession.

To receive the monies of the corporation.

To be deposited in the bank of of Baltimore.

Mayor to countersign checks.

Register to keep book.

To account annually.

In case of death &c. to deliver over to successor.

Register to give bond.

And be it enacted and ordained, That the Register shall enter into an obligation to this corporation in

its corporate name with good and sufficient sureties, to be approved of by the Mayor, in the penal sum of twenty thousand dollars, conditioned that he will well and faithfully execute and perform every trust and duty prescribed to him by this ordinance, and also every trust and duty that may hereafter be by ordinance prescribed to him respecting the receipts and expenditures of the monies of the corporation.

And be it enacted and ordained, That all such parts of the ordinance entitled "An ordinance to establish a Register and Treasury Department" as relate to the Treasury Department, and as are repugnant to and inconsistent with the provisions of this ordinance, shall be, and hereby are repealed; and every duty, right or power delegated to the said Treasurer by any ordinance that may not be repealed shall devolve on and be vested in the Register.

Part of the ordinance to establish register and treasury department repealed.

And be it enacted and ordained, That the office of the Mayor and of the Register shall be under the same roof, and shall be open every day (Sundays excepted,) from ten o'clock in the morning until three o'clock in the afternoon.

Office hours.

Approved March 10th, 1798.

No. 75.

An ordinance to regulate wagoners, carters, porters, draymen, watermen, hackney coaches, stages and other carriages for hire within the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of May next, no person whatsoever shall follow the business of a wagoner, carter, porter, drayman or waterman for the transportation of goods, wares, merchandises, wood, coal, hay or other articles within the City for hire or pay, unless he

shall comply with the rules and regulations herein-after contained, and be licensed by the Mayor, that is to say :

All wagons, carts and drays employed in transporting such articles as aforesaid, for hire or pay, within the said City, shall be numbered with plain and conspicuous figures done with black paint on a white ground upon each side of such wagon, cart or dray, on the square of the after part of the shaft or tongue; and every boat or scow employed as aforesaid shall be numbered in like manner on each side in the centre near the top; each carriage, scow or boat of the several foregoing descriptions to begin with No. 1, and so on progressively to the extent of the number of such carriages, boats or scows.

The owner or owners of such carriages, boats or scows, shall appear at the office of the Register, and there enter his name and place of abode, and the description of every such carriage, boat, or scow, by him or them owned, and the number thereon to be affixed; to the end that the employer, upon taking notice of the number of such carriage, boat or scow, shall upon any accident or miscarriage of any goods entrusted to any wagoner, carter, drayman or waterman, by resorting to the office be able immediately to discover the owner of the carriage, boat or scow, and seek his remedy against the person in default.

And be it enacted and ordained, That no person whatsoever shall be entitled to demand, recover or receive any hire, pay or reward for the transportation of any articles whatever within the said City, unless the wagon, cart, dray, boat or scow wherein the same was transported, be numbered and registered, and the owner be licensed in the manner herein mentioned and until he complies with the regulations herein mentioned, he shall be further liable to forfeit and pay for every load so transported.

or to be transported, for which he shall demand hire or pay the sum of one dollar—to be recovered for the use of the informer. Penalty.

And be it enacted and ordained, That the Register shall keep a registry of the names and places of abode of the owners of every wagon, cart, dray, boat or scow used for the transportation of articles within the said City, for hire or pay, and of the description and number of each such carriage, boat or scow, and shall cause to be entered therein, under the head of each separate description, the number of each carriage, boat or scow, beginning with No. 1 and going on progressively, and the name or names and places of abode of the owner or owners thereof; which entry shall be acknowledged by the signature of such owner or owners, and the Register shall be entitled to demand and receive from the owner for entering and registering of every such carriage, boat or scow, the sum of one-half a dollar, and no more: and such owner shall, before he is admitted to follow any of the aforesaid employments, thereupon take out a license containing his number and signed by the Mayor, with the city seal thereto affixed, for which such owner shall pay two dollars and no more, for the use of the corporation. Owners names &c. to be registered. To take out license.

And be it enacted and ordained, That annually every owner of any carriage, boat or scow, employed in the transportation of articles for hire or pay within the said City, shall appear at the office of the Mayor, and take out a fresh license, for which such owner shall pay two dollars, under the penalty in case of neglect or refusal, of forfeiting and paying the sum of four dollars, for the use of the corporation. License to be taken out annually. Penalty for neglect &c.

And be it enacted and ordained, That if any person shall cause or procure a false entry to be made of any such carriage, boat or scow, either in the number or owner, or after a true entry, shall alter the number of his carriage, boat or scow, he shall For false entry.

forfeit and pay for every such offence the sum of twenty dollars, one-half to the informer and the other half for the use of the corporation.

Hackney
coaches, &c. to
be entered and
numbered.

To be licensed.

And be it enacted and ordained, That from and after the first day of May next, no owner of any hackney coach, stage or other carriage employed in conveying or transporting any person or persons within the said City, for hire or pay, shall follow such business or employment either personally or by any other person for such owner's use, unless such owner shall appear at the office of the Register, and make entry as aforesaid, and upon the terms of entry as aforesaid, and number such carriage on each side in the centre, and take out a license under the seal of the corporation, for which such owner shall pay three dollars, for the use of the corporation, and the same renew annually as aforesaid, and such owner shall be subject to all the other rules and regulations herein contained, respecting wagoners, carters and draymen, and shall be liable to the same forfeitures and penalties, upon the non-compliance or violation of any of such rules and regulations, to be appropriated as aforesaid.

Drays, &c. to be
placed at least
forty-feet apart.

Penalty for neg-
lect, &c.

And be it enacted and ordained, That ten days after the publication of this ordinance, the aforesaid carts, drays and other carriages, when unemployed shall not be ranged by the owner or driver thereof, so close to each other as to incommode the citizens, but they shall place their several carts, drays and other carriages when unemployed, and when in a street whereon houses are built, in such manner that they will be situated at least forty feet from each other, and ranged parallel with the houses of street, and close to the posts or curb stones; and in case the said carts, drays or other carriages, shall not be placed as is herein directed, the owner of every such cart, dray or other carriage, that shall violate this regulation by approaching another cart, dray or other carriage, contrary to the true intent of this provision, shall forfeit a sum not exceeding one

dollar, for the use of the informer:—provided nevertheless, that at the heads of the several docks, and in the market spaces, and other public places within the said City, so many carts, drays and other carriages, may take their stands when unemployed, as the Mayor shall from time to time direct and allow; and the owners or drivers of every cart, dray or other carriage that shall violate such regulation, made by the Mayor by placing their carts, drays or other carriages at any of the places aforesaid, after the number allotted for them respectively shall be there placed, shall forfeit and pay a sum not exceeding one dollar, to be recovered for the use of the informer. ^{Proviso.}

And be it enacted and ordained, That so much of the ordinance entitled “An ordinance to regulate the riding and driving of horses and carriages through the city of Baltimore,” as directs the City Commissioners to appoint stands for carriages, be, and the same is hereby, repealed. ^{Part of an ordinance repealed.}

Approved March 10, 1798.

No. 76.

An ordinance to regulate the sinking of wells and erecting and repairing pumps in the city of Baltimore.

Whereas, the keeping the public wells and pumps in constant repair doth contribute to the safety of the City against accidents by fire, therefore, ^{Preamble.}

Be it enacted and ordained by the Mayor and City Council of Baltimore, That in each and every ward of the City, one person residing therein shall be annually appointed the superintendent of the public wells and pumps in such ward, ^{Superintendent to be appointed in each ward.}

And be it enacted and ordained, That it shall be the duty of the superintendents to cause all the wells and pumps in the streets, lanes and alleys in their respective wards to be viewed, examined, cleansed and put in good order and repair, and shall so keep and maintain them from time to time; and shall also from time to time cause new wells to be sunk and pumps to be erected in time, on the sides of the streets, lanes and alleys, as to them shall appear useful and necessary, which wells when completed shall be at least five feet in diameter clear of the walling.

And be it enacted and ordained, That when a new pump is about to be erected in any ward, the superintendent of that ward shall call upon the superintendent in any adjoining ward, who is hereby directed to assist him in levying the tax to defray the expense thereof, and such superintendents shall lay a tax on all the assessable property that shall appear to them will be benefitted by the erecting of such pump, on either side of the street, lane or alley, whether in the same or the adjoining ward, as the case may be, with such a sum on every hundred pounds of property as it may stand upon the books of the City Assessors as will be just and equal; and they shall make or cause to be made out a correct list of the names of the persons who are liable to pay the pump tax, and the amount to be paid by each person; and they are hereby directed to deliver to the City Collector a duplicate of such amount under their hands and seals, with directions for collecting the said tax, nevertheless correcting any mistakes. And the said Collector shall immediately collect the same by distress or otherwise, giving thirty days' notice agreeably to law previous to such distress, and pay over the amount to the Register of the City after deducting four per centum for collecting the same.

New pumps to be erected by tax on persons benefited.

List of persons liable to pay tax to be made and delivered to the collector.

Collector to collect.

To pay the amount to register.

Superintendent to draw on the register for the said tax.

And be it enacted and ordained, That the superintendent of the ward wherein such pump may be erected is hereby authorized and directed to draw

on the Register of the City for the amount of the tax, and to apply the same to the erecting of the individual pump in the street, lane or alley where the tax is collected. And the superintendents of each and every ward are hereby authorized to draw on the Register of the City for such sums as may be necessary to keep the pumps in their respective wards in constant repair, provided that no greater sum shall be expended in any individual ward in any one year for such repairs than one hundred dollars.

For any sum necessary for repairs.

Not exceeding one hundred.

And be it enacted and ordained, That once in every three months the superintendents shall render to the Mayor a just and true account of all and every sum and sums of money by him or them expended in erecting or repairing pumps as aforesaid, with vouchers or receipts for the same.

Accounts be rendered to the mayor.

And be it enacted and ordained, That if any person or persons shall maliciously, wilfully or wantonly break, or carry away the handle, or obstruct any pump standing in the streets, lanes or alleys of the said City, or otherwise damage or injure the same, every person so offending or aiding or assisting in such offence shall forfeit and pay for every such offence a sum not exceeding twenty dollars, for the use of the City.

Penalty on persons obstructing the pumps &c.

And be it enacted and ordained, That the ordinance passed April the 24th, 1797, entitled "An ordinance to erect and regulate pumps in the streets, lanes and alleys in the city of Baltimore," be, and the same is hereby, repealed. Provided, that the provisions of this ordinance shall not, in any respect, affect any contracts that may have been made by the City Commissioners under and in virtue of the ordinance hereby repealed.

Part of an ordinance repealed.

Proviso.

Approved March 10, 1798.

No. 77.

A supplement to the ordinance entitled "An ordinance to regulate the several markets within the city of Baltimore."

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passing of this ordinance, whenever any clerk of any of the markets of this City may or shall rent or hire out any stall or shamble, he shall give to the person or persons obtaining the same a certificate thereof, which shall specify the terms of the tenure and the number or other description of the stall or shamble; and the person or persons holding such certificate shall thereupon present the same to the Mayor for his approbation, and in case the Mayor may or shall approve of the terms of the said certificate, he shall forthwith grant to the person or persons to whom the same may have been given as aforesaid, a license under the seal of the corporation for the stall or shamble described in such certificate for the term of one year and no longer, in which license shall be distinctly expressed the number or other description of the stall or shamble, the market wherein it is situated, the time of its continuance, and the terms of the tenure.

Clerk renting stall to give certificate, &c.

To be presented to the mayor &c

If he approves to grant license, &c.

For one year.

And be it enacted and ordained, That the Register shall immediately copy all licenses granted by the Mayor as aforesaid in a book to be provided and kept by him for that and similar purposes; and every such license or a copy thereof, under the seal of the corporation, shall be transferable, and shall be evidence of title in the guarantee or assignee to the stall or shamble therein mentioned.

License to be registered.

Transferable.

And be it enacted and ordained, That if any person shall use and occupy any part of any stall or shamble in any market of this City without having previously obtained a title as aforesaid for the same, or without the consent of the owner, (if any,) he shall forfeit and pay to the corporation a sum not exceeding ten dollars for each and every offence, for the use of the corporation.

Penalty on persons occupying a stall without consent of the owner.

And be it enacted and ordained, That nothing in this ordinance shall in any respect affect the rights and privileges which any person or persons may at this time possess in virtue of any contract that may have been heretofore made with any of the said clerks. Former rights reserved.

And be it enacted and ordained, That for every license granted as aforesaid under the seal of the corporation, the Mayor shall be entitled to receive, and shall immediately receive from the person or persons obtaining the same the sum of five dollars, for the use of the corporation. Tax on license.

And be it enacted and ordained, That if any person shall hold and retain possession of any stall or shamble to which he has no title as aforesaid, and will not upon the application of the owner immediately remove from the same, he shall forfeit and pay the sum of ten dollars, for the use of the corporation. Penalty on persons retaining possession of stall without title.

Approved March 10th, 1798.

No. 78.

An ordinance to continue a supplement to an ordinance for the inspection of salted provisions imported into and exported from the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That an ordinance entitled a supplement to an ordinance for the inspection of salted provisions imported into and exported from the city of Baltimore, passed on the sixth day of May, seventeen hundred and ninety-seven, shall be, and the same is hereby, continued, and be in force to the first day of January next, and to the end of the next session of the City Council, which shall happen thereafter. Supplement to the original ordinance continued.

Approved March 10th, 1798.

No. 79.

An ordinance for the discharging of certain debts of the corporation.

Mayor directed to discharge the debts of the corporation.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor shall, and he is hereby, directed to pay and discharge, out of any unappropriated money that now is or that may hereafter be in the Treasury, the debt contracted by the late Special Commissioners; the debt contracted in the year seventeen hundred and ninety-six by the late Committee of Health; the money borrowed by the Commissioners of the Middle Bridge, and the money borrowed by the City Commissioners for the filling up of Calvert street dock; provided, that the Mayor shall, and he is hereby, directed to reserve in the Treasury as much money as will be sufficient to pay and discharge the current expenses of the corporation.

Proviso.

Approved March 10th, 1798.

 No. 80.

An ordinance directing the manner of punishing servants and slaves guilty of offences against the laws and ordinances of the corporation of the city of Baltimore.

Slaves, &c., offending against the ordinances to be whipped.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passing of this ordinance, if any slave or imported servant shall be guilty of any offences against any of the laws and ordinances of the corporation of the city of Baltimore, he, she or they so offending shall on conviction thereof before any Justice of the Peace for Baltimore County, be whipped with any number of stripes not exceeding thirty-nine, in the discretion of the Justice of the Peace before whom such slave or servant shall be tried, unless the fine annexed to the offence together with all costs arising

thereon be paid or secured to be paid, for the use of the City; provided, that the Justice of the Peace ^{Proviso.} aforesaid shall not proceed to the trial of such slave or servant until due notice of such intended proceeding shall be given by the said Justice to the master or mistress of such slave or servant.

Approved March 10th, 1798.

No. 81.

An ordinance for the purpose of erecting a public wharf at the end of Bond street.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That James Beeman and Thomas Cole be Commissioners, whose duty it shall ^{Commissioners appointed.} be, with the consent and approbation of the Mayor, to contract for materials and agree with suitable and ^{Their duty.} proper persons to erect and build a public wharf at the end of Bond street, in the eighth ward of this City.

And be it enacted and ordained, That the aforesaid wharf shall be extended so far that there shall ^{Extension.} be eight feet water at common tides.

And be it enacted and ordained, That to defray the expense incurred in the execution of this ordinance, the Commissioners so appointed are hereby ^{Commissioners authorized to borrow money.} authorized and directed to borrow on loan, to be by the City repaid in two years, a sum not exceeding ^{To be paid in two years.} five hundred dollars, at six per centum interest per annum, for the completion of the same.

And be enacted and ordained, That the said wharf, when so built and finished, shall be taken and deemed a public wharf forever, and subject to ^{Wharf to be public.} all the rules and regulations as other public wharves within the City.

Approved March 19th, 1798.

No. 82.

An ordinance for repairing that part of the road leading from the City to Josias Pennington's, on the east side of Jones' Falls, which has been damaged by a canal cut across the same by the late Special Commissioners.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That John Brown, Christian Myers and John Mackenheimer be appointed, and they are hereby authorized to repair and mend the aforesaid road with logs, stone and earth, in any manner they may judge best and cheapest.

Commissioners appointed.

Their duty.

And be it enacted and ordained, That the persons aforesaid, or a majority of them, shall have power to draw on the Register of the City for a sum not exceeding one hundred dollars to carry this ordinance into effect.

To draw on the register.

Approved March 19, 1798.

 No. 83.

An ordinance for the appointment of a superintendent for cleansing the streets, lanes and alleys in the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That a superintendent shall be appointed for cleansing the streets, lanes and alleys in the city of Baltimore, who shall remove or cause to be removed all the dirt, filth and rubbish that may be found on any of the streets, lanes and alleys, and shall have full power and authority, under the control and superintendence of the Mayor, to sell or otherwise dispose of the same in such manner and upon such terms and conditions as he may consider most conducive to the convenience of the City and to the interest of the corporation.

A superintendent to be appointed.

His duty.

And be it enacted and ordained, That the said superintendent shall have all the rights and authority, under the control and superintendence of the Mayor, in cleansing the streets, lanes and alleys, and in preventing and removing nuisances, which were vested in and delegated to the City Commissioners in virtue of the ordinance entitled "An ordinance to prevent and remove nuisances in the City of Baltimore and within the precincts thereof, and to provide an uniform mode for cleaning the streets, lanes and alleys within the said City," and in virtue of the supplement to the said ordinance.

Authority of city commissioners as to cleansing the streets, &c. vested in superintendent.

And be it enacted and ordained, That the said superintendent shall have and receive as a compensation for his services for the ensuing year, to be computed from the date of his license, the sum of four hundred dollars; and shall, moreover, be entitled to receive to his own use one-half of the penalties that may be collected upon his information under the ordinance and supplement aforesaid.

His compensation.

And be it enacted and ordained, That before the said superintendent shall enter upon the trusts and duties required of him he shall take the following oath or affirmation: "I, A. B. do swear (or affirm) that I will faithfully discharge the duties required of me as a superintendent of the city of Baltimore to the best of my knowledge and ability, without favor, affection or partiality." And, moreover, he shall obtain from the Mayor a license, under the seal of the corporation, which license shall be renewed each and every year thereafter.

Oath.

To obtain a license.

And be it enacted and ordained, That the said superintendent shall give bond, with security, to be approved by the Mayor, conditioned for the faithful discharge of the duties required of him as a superintendent of the city of Baltimore.

To give bond.

And be it enacted and ordained, That the said superintendent shall once in each and every week render to the Mayor a particular account of all receipts of money by him and shall pay the same to the Mayor.

To render accounts weekly.

Further duty. And be it enacted and ordained, That it shall be the duty of the superintendent to take notice of all breaches of any ordinance that shall come to his knowledge, and to give information thereof.

An ordinance to prevent and remove nuisances &c. and the supplement thereto continued. And be it enacted and ordained, That the ordinance entitled "An ordinance to prevent and remove nuisances in the city of Baltimore and within the precincts thereof, and to provide an uniform mode for cleaning the streets, lanes and alleys within the said City," and the supplement thereto, shall be continued until the first day of April, in the year seventeen hundred and ninety-nine, provided that all such parts of the said ordinance or supplement as are repugnant to and inconsistent with the provisions of this ordinance shall be, and are hereby, repealed.

Approved March 19, 1798.

No. 84.

An ordinance respecting the licensing of certain officers.

Certain officers of the corporation to be licensed. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of May next, the inspectors of flour, the inspectors of salted provisions, the corders and inspectors of wood, the gaugers, and all other officers of the corporation to whom fees or perquisites are given in lieu of a salary, shall, and they are hereby, severally and respectively directed, each and every year, to take out and obtain from the Mayor a license, under the seal of the corporation; and for every license that shall or may be granted as aforesaid to any inspector of flour he shall pay to the Register, for the use of the corporation, the sum of one hundred dollars; and for every license that shall or may be granted to any inspector of salted pro-

Tax for license

visions, he shall pay as aforesaid the sum of one hundred dollars; and for every license that shall or may be granted to any gauger, he shall pay as aforesaid the sum of five dollars.

Approved March 19, 1798.

No. 85.

An ordinance to prepare a scheme of a lottery for the year seventeen hundred and ninety-eight to raise a sum of money for the use of the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the following be a scheme of a lottery for the year seventeen hundred and ninety-eight to raise a sum of money for the use of the city Baltimore, to wit:

That there be 10,000 tickets at 5 dollars each is 50,000 dollars.

	Dolls.		Dolls.
1 Prize of	5,000	is	5,000
2 ditto	1,500	each are	3,000
2 ditto	1,000	ditto	2,000
5 ditto	500	ditto	2,500
10 ditto	200	ditto	2,000
20 ditto	100	ditto	2,000
30 ditto	50	ditto	1,500
50 ditto	20	ditto	1,000
150 ditto	10	ditto	1,500
3,069 ditto	6	ditto	18,414
Last drawn ticket,			2,000
			<hr/>
3,340 prizes,			40,914
6,660 blanks.			
Sum to be raised,			9,086
10,000 tickets at 5 dollars each,			50,000

And be it enacted and ordained, That three Commissioners be appointed to carry the said scheme into effect, and they or either of them, are hereby authorized and directed to sign and sell, or cause to be sold, the tickets thereof, to receive the money for the same, to draw the said lottery, to pay off the prizes which may be found due on the drawing of the said lottery, and after deducting a commission of five per centum on the amount of all tickets by them sold (for which they shall be answerable,) as a compensation for their trouble, and to discharge the expense of said lottery, to pay the balance to the Register of the City.

Commissioners to be appointed.

Their duty.

Compensation.

And be it enacted and ordained, That the said Commissioners, before entering upon the duties of their appointment, give bond each in the sum of ten thousand dollars, with security to be approved of by the Mayor, to the Mayor and City Council of Baltimore, for the faithful discharge of their said duties.

To give bond.

And be it enacted and ordained, That the said lottery shall commence drawing within the year seventeen hundred and ninety-eight, and the Commissioners, with the advice and consent of the Mayor, may commence the drawing thereof at such time and in such place as they in their discretion may think proper.

To commence drawing in seventeen hundred and ninety-eight.

And be it enacted and ordained, That if any of the said prizes are not demanded of the said Commissioners within nine months after drawing and publishing of the said lottery, in such case such prize shall be forfeited for the use of the corporation.

Any prize not demanded in nine months forfeited.

Approved March 19th, 1798.

No. 86.

A supplement to the ordinance entitled "An ordinance imposing a tax on the city seal, and regulating the fees of the Register's office.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passing of this ordinance, the Register shall not be entitled to receive for his own use, any commission or fees, but that all monies receivable by him, under the ordinance to which this is a supplement, or under any other ordinance, shall be received by him for the use of the corporation.

Registers fees
for the use of
the city.

And be it enacted and ordained, That in each and every case where an ordinance of this corporation shall or may direct the seal of the corporation to be affixed, the Mayor shall receive for affixing the same, for the use of the corporation, the sum of two dollars—and in all other cases every person requiring the seal of the corporation to be affixed to any commission or other paper, for his benefit, shall pay to the Mayor for the use of the corporation, the sum of one dollar.

Tax for city
seal.

Approved March 19, 1798.

 No. 87.

An ordinance extending the time limited for the collection of the fifteen shilling tax imposed by an ordinance entitled "An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the time limited for the collection of the fifteen shilling tax imposed by an ordinance, entitled "An ordinance to impose a tax on the real and personal property within the

Time extended.

city of Baltimore, and to provide for the collection of the same, and extended by an ordinance to the first day of March instant, be, and the same is hereby, extended until the first day of June next.

Collector's allowance.

And be it enacted and ordained, That the Collector of the said tax shall have and receive in lieu of the four per centum heretofore allowed him for the collection of the said tax, five per centum on the whole amount of the said tax collected, or that may be collected by him.

Approved March 19, 1798.

No. 88.

An ordinance to further suspend so much of the ordinance entitled "An ordinance to regulate the cording of fire-wood within the city of Baltimore," as relates to the length of fire-wood brought to the said City for sale.

Preamble.

Whereas, it is represented to the Mayor and City Council of Baltimore that there are now considerable quantities of fire-wood which were cut and prepared for this market previous to the passing of the ordinance to regulate the cording of fire-wood within the city of Baltimore which is not of the length prescribed by the said ordinance, and therefore cannot be exposed for sale within the said City,

Part of the ordinance to which this is a supplement extended.

Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That so much of the aforesaid ordinance as relates to the length of fire-wood cut previous to the first day of July last, and brought to the said City for sale, be, and is hereby, suspended until the first day of January next.

And be it enacted and ordained, That during the suspension aforesaid the several wood-corders of the city of Baltimore be, and are hereby, directed in all

eases where wood brought to the said City for sale is not of the length prescribed by the aforesaid ordinance, to make up the deficiency in the height of each and every cord of wood so deficient; provided it appears to the wood-corder who shall be called upon to examine and pass the same that the said wood was cut previous to the first day of July last.

Deficiency in length to be made up in height.

Proviso.

Approved March 19, 1798.

No. 89.

An ordinance respecting the lower bridge on Jones' Falls, in the city of Baltimore.

Whereas, it is represented to the Mayor and City Council of Baltimore that the sum of seven hundred and fifty pounds granted by an Act of the General Assembly of Maryland for the rebuilding the lower bridge on Jones' Falls, and the sum of one hundred pounds heretofore granted for that purpose by the Levy Court for Baltimore county, are not sufficient to complete the same,

Preamble.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the commissioners appointed in virtue of the said Act for the building and completing the said bridge be, and they or any two of them are hereby, authorized and empowered to negotiate and borrow on loan from any of the banks in the said City, a sum of money not exceeding fifteen hundred dollars, for the purpose of finishing and completing the said bridge, which said money with the interest thereon shall be paid to the bank or banks lending the same in or before the year seventeen hundred and ninety-nine.

Commissioners to borrow money.

To be repaid in seventeen hundred and ninety-nine.

And be it enacted and ordained, That the corporation of the city of Baltimore do hereby guarantee the payment of the said loan or loans and the interest thereon to such bank or banks as shall advance

Guarantee.

City revenue
mortgaged.

the same, and shall and will indemnify and favor harmless the commissioners of the said bridge, who shall negotiate the same or who shall or may become security for the same, and the revenue of the City is hereby mortgaged for the payment of the same, agreeably to the terms specified in this ordinance.

Approved March 19, 1798.

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No. 90.

A supplement to the ordinance entitled "An ordinance to preserve the navigation of the harbor of Baltimore, and to provide for the exercise of the powers heretofore vested in the Port Wardens by Act of Assembly."

All wharves
made in front of
streets &c. de-
clared public.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That all wharves made out into the basin or harbor in front of any street or part of a street, and which street was heretofore laid out in the plan of the town as extending to the water, are hereby declared public wharves, and subject to the wharfage imposed and laid by the ordinance to which this is a supplement.

Approved March 19, 1798.

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No. 91.

An ordinance to appoint a City Constable.

Preamble.

Whereas, divers ordinances of the corporation of the city of Baltimore remain unexecuted, and the good effects which might be expected therefrom are frustrated for want of a proper person to superintend and give information of offences committed against the same,

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be appointed an officer for the said City by the name of the City Constable, whose duty it shall be to walk through the streets lanes and alleys of the City daily, with his mace in his hand, taking such rounds, that within a reasonable time he shall visit all parts of the City and give information to the Mayor or other magistrate of all nuisances within the City, and all obstructions and impediments in the streets, lanes and alleys, and of all offences committed against the laws and ordinances in being, and of the names of the offenders and of the witnesses, to the end that prosecutions may be commenced and obedience enforced to the regulations for the well governing the City; and generally to do and perform all such other matters and things as in the recess of the City Council the Mayor shall reasonably require.

City Constable
to be appointed.
His duty.

And be it enacted and ordained, That the said City Constable shall have and receive the yearly sum of three hundred and fifty dollars, to be paid him quarterly, by orders drawn by the Mayor on the Register.

Compensation.

And be it enacted and ordained, That the person to be as aforesaid appointed before he enters upon the duties of his office shall give bond, with security, (to be approved by the Mayor,) to the Mayor and City Council of Baltimore for the faithful performance of the duties of him required by this ordinance.

To give bond.

And be it enacted and ordained, That this ordinance shall continue and be in force until the tenth day of March next.

Continuance

Approved March 19th, 1798.

No. 92.

An ordinance to continue an ordinance empowering the Mayor to rent a magazine for the storing of gunpowder and employing a keeper thereof, and for regulating the sweeping of chimnies within the city of Baltimore.

An ordinance empowering the Mayor to rent a magazine, &c., continued.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the ordinance entitled "An ordinance empowering the Mayor to rent a powder magazine for the storing of gunpowder, and employing a keeper thereof, and for regulating the sweeping of chimnies within the city of Baltimore, be, and the same is hereby, continued until the first day of April, in the year seventeen hundred and ninety-nine.

The Mayor to rent a magazine.

And be it enacted and ordained, That the Mayor aforesaid, be empowered to rent magazines for the storing of gunpowder, and that he employ a sum of money not exceeding five hundred dollars for the execution of the several powers required of him by the said ordinance, and that he have power to license chimney sweeps until the first day of April, seventeen hundred and ninety-nine.

To license sweeps.

Approved March 19, 1798.

 No. 93.

An ordinance for opening, amending and repairing John street.

An ordinance to open and amend John street.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That George Prestman and George Warner be, and they are hereby, empowered and directed to draw on the Register of the city of Baltimore, for any sum not exceeding twenty-five dollars, under the direction of the Mayor, for the purpose of opening, amending and repairing John street; and the said George Prestman and George Warner are hereby authorized and directed to open, amend and repair the same.

G. Prestman and G. Warner appointed to open John street.

Approved March 19, 1798,

No. 94.

An ordinance to continue an ordinance empowering the Mayor of the city of Baltimore to grant licenses for the purposes therein mentioned.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That an ordinance empowering the Mayor of the city of Baltimore to grant licenses for the purposes therein mentioned, shall be, and is hereby, continued to the first day of April, one thousand seven hundred and ninety-nine.

An ordinance empowering the Mayor to grant licenses continued.

And be it enacted and ordained, That the said license shall and may be granted free and clear of all fees or tax.

Approved March 19, 1798.

 No. 95.

An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That a tax of fifteen shillings be imposed and levied on every hundred pounds of property, assessed in virtue of the ordinance, entitled "An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same," passed on the twenty-fourth day of April, seventeen hundred and ninety-seven, within the city of Baltimore, contained within the said list of assessment, to be collected in the manner as is hereinafter directed.

A tax of 15s. to be laid.

And be it enacted and ordained, That there be a collector appointed to collect the tax so imposed, who, before he enters on the execution of his office, shall take and subscribe the oath or affirmation directed by the act of incorporation, and give bond to the Mayor and City Council of Baltimore in the penalty of ten thousand dollars, with security to be approved of by the Mayor, for the well and faithful execution of the trust reposed in him by the ordinance; and that he will pay monthly to the Register of the City such sums of money as he shall receive in the course of collection, and that he will complete the said collection on or before the first day of November next.

A collector to be appointed.

To give bond.

Collections to be completed by November next.

And be it enacted and ordained, That the said collector shall make out and deliver to each taxable person, or leave at their last place of abode, or, if non-resident, at the property an account in writing of said assessment, containing the items in words at length, and amount thereof, which said account shall be so delivered or left on or before the first day of July next, and the same shall contain a request to pay the said assessment on or before the first day of August next.

Collector to deliver an account in writing.

Tax to be paid by the first of August.

And be it enacted and ordained, That if the tax is not paid by the first day of August aforesaid, that, then and in such case the said collector is hereby authorized and directed to proceed to recover the same agreeably to the mode prescribed by the act of incorporation, and he shall have and receive a commission of five per centum for collecting the same.

Commission.

And be it enacted and ordained, That the Mayor of the City be authorized to make transfers on the books of assessment of the said city, and to allow for insolvencies, as the commissioners of the tax for Baltimore town are authorized to do by the act of the general assembly of Maryland, entitled "an act for the valuation of real and personal property within this State," passed at November session, seventeen hundred and ninety-two.

Mayor to make transfers.

To allow for insolvencies.

And be it enacted and ordained, That if any person shall think himself aggrieved by the valuation directed to be made by the ordinance, entitled "an ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same," every such person may appeal to the two assessors who have not made the assessment appealed from, who are hereby directed to alter and correct the same if they think proper, provided that all appeals be heard and determined on or before the 20th day of July aforesaid, and it shall be the duty of the said assessors, and they are hereby directed to give five days notice prior to the time of their sitting, of the time, place and hearing of such appeal; and they shall sit three days and no more, for the purposes aforesaid, for which trouble they shall have and receive two dollars for each and every day they shall so sit.

Persons aggrieved may appeal.

Approved, March, 19th, 1798.

No. 96.

An ordinance to regulate the inspection of lumber.

Whereas, great inconvenience arises to the citizens of Baltimore, for the want of proper and suitable rules to regulate the size and quality of lumber brought to the city for sale—for remedy whereof,

Preamble.

Be it enacted and ordained, by the Mayor and City Council of Baltimore, That from and after the first day of February, one thousand seven hundred and ninety-nine, all boards, plank, scantling, shingles and laths, brought to this city for sale, shall be of the following qualities, viz:

Dimensions.

All inch boards of the first quality, shall be sawed so as not to be less than one inch in thickness, square edged, not less than two-thirds of the whole width to be heart, and to be clear of knots and splits.

Dimensions of plank, &c.

- Of plank. All inch boards of the second quality shall be sawed so as not to be less than one inch in thickness, square edged not less than one half of the whole width, to be heart and free from splits, and all other inch boards to be of the third quality.
- Of plank. All inch and quarter boards of the first quality shall be sawed so as not to be less than one inch and one quarter of an inch in thickness, square edged, all heart, and free from knots and splits.
- Of plank. All inch and quarter boards of the second quality shall be sawed so as to be not less than one inch and one quarter of an inch in thickness, square edged, not less than two-thirds heart, and free from splits, and all other inch and quarter boards to be of the third quality.
- Of plank. All inch and half and two inch boards of the first quality, shall be sawed so as to be respectively not less than one inch and an half, and two inches in thickness, square edged, all heart, and free from knots and splits.
- Of plank. All inch and half and two inch boards of the second quality, shall be sawed so as to be respectively not less than one inch and an half, and two inches in thickness, square edged, not less than one half heart and free from splits, and all other inch and an half and two inch boards, to be of the third quality.
- Of plank. All half inch boards of the first quality shall be sawed not less than one half of an inch in thickness, square edged, not less than two-thirds heart, and free from knots or splits, and all other half inch boards to be of the second quality.
- Dimensions of scantling. All scantling of the first quality shall be not less than two-thirds heart, and square edged, and all other scantling to be of the second quality.

All unsound, worm eaten, or irregularly sawed boards, plank or scantling, all wind shaken boards and plank, and all slabs shall be of the most inferior of their several and respective qualities.

All shingles of the first size shall not be less than thirty-three inches in length, not less than five and an half inch wide, clear of sap, and of such a thickness, that when dressed they shall not be less than one half of an inch thick at any place from the butt end to ten inches therefrom. Of shingles.

All shingles of the second size shall not be less than twenty-two inches in length, nor less than five inches wide, clear of sap and of such a thickness that when dressed they shall not be less than one half of an inch thick at any place from the butt end to the distance of seven inches therefrom.

All shingles of the third size shall not be less than seventeen inches long, nor less than three inches wide, clear of sap, and of such thickness that when dressed they shall not be less than three-eighths of an inch thick, from the butt end to the distance of six inches therefrom—and every of the said kind of shingles shall be of sound cypress or cedar wood, free from splits or knots, and in every other respect of good merchantable quality.

All laths for plastering shall be put up in bundles of one hundred each, not to be less than four feet in length, not less than one quarter of an inch thick, and not less than one inch wide. Dimensions of laths.

And be it enacted and ordained, That there be appointed four persons of good repute to be called and nominated Inspectors, Measurers and Markers under this ordinance, one of whom shall reside in the eighth ward, whose duty it shall be to inspect and mark (if not before marked) all boards, plank and scantling with a marking iron, in strong and legible marks, according to the quality, and to the Inspectors to be appointed. Their duty.

Compensation. true number of feet board measure in each piece— and for the inspecting and measuring of the same, they shall ask and receive for every hundred feet of boards, plank or scantling inspected, three cents, and so in proportion for a greater or less quantity, the one-half to be paid by the purchaser and the other half by the seller; and for every hundred feet board measure marked by any such inspector, or by him altered by reason of its not being fairly marked when brought to this city, he shall ask and receive an additional cent, to be paid by the seller, and for inspecting all shingles they shall ask and receive twenty cents for each and every thousand; and for all laths, ten cents for each and every thousand, and so in proportion for a greater or less quantity.

No inspector to purchase plank, &c., except for present use. And be it enacted and ordained, That no inspector of lumber under this ordinance, shall be allowed to purchase for himself or others, any boards, plank, scantling, shingles or laths for the purposes of trade, or for any other purpose, except his own private use.

To give bond. And be it enacted and ordained, That each and every inspector, before he enters upon his office, shall give bond to the mayor and city council of Baltimore, with sureties to be approved by the Mayor, in the penal sum of one thousand dollars, conditioned for the faithful discharge of his duty as inspector, and shall take and subscribe the following oath or affirmation:

Oath. I, A. B. do swear (or affirm) that I will execute the duty of inspector, measurer and marker of boards, plank, scantling, shingles, and laths, to the best of my knowledge, so help me God.

And be it enacted and ordained, That the inspectors of lumber aforesaid, immediately after the passing of this ordinance, and after being duly qualified as aforesaid, may and shall proceed to the

measuring and marking of all such plank and scantling as may come to this city in its present state, without regard to quality or thickness, until the first day of February, one thousand seven hundred and ninety-nine, for which they shall ask and receive four cents for every hundred feet board measure, of boards and plank, and the like sum for every hundred feet of scantling, side and edge measure, the one half to be paid by the buyer, and the other half by the seller.

Inspectors to measure plank, &c., without regard to quality, &c., until February next.

Compensation.

And be it enacted and ordained, That from and after the 15th day of April next, if any person or persons bringing any of the articles specified in this ordinance into this city for sale, and shall sell or cause the same to be sold, without having the same inspected, measured or marked as aforesaid, they shall forfeit and pay for every such offence a sum not exceeding three dollars for every thousand feet of boards, plank or scantling, and for every thousand shingles or laths so sold, one half to the informer, and the other half to the use of the city; and if any person or persons, after the 15th day of April next, shall knowingly buy or cause to be bought any of the articles specified therein, which are not inspected, measured or marked as this ordinance directs, he, she or they, for every such offence shall forfeit and pay for every thousand feet of boards, plank or scantling, and for every thousand shingles or laths so bought, a sum not exceeding three dollars, and so on in proportion, for a greater or less quantity, the one half to the informer and the other half to the use of the city.

No plank, &c., to be sold until inspected.

Penalty.

No planks, &c., to be bought until inspected.

Penalty.

And be it enacted and ordained, That if any person shall fraudulently alter or deface in any manner, any mark or marks that may be made to designate the quality or quantity of feet board measure in any plank, boards or scantling, every person so offending shall forfeit and pay twenty dollars for every such offence, to be applied as aforesaid.

Penalty for altering marks.

Approved March 19th, 1798.

No. 97.

An ordinance directing the appropriation of certain sums of public money for the use of the City.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be appropriated to the deepening and preserving of the harbor of Baltimore, to be paid out of the money arising from the duty on tonnage of vessels and auctioneers of the City, a sum not exceeding five thousand dollars; to the cleaning of the streets and removing of nuisances, a sum not exceeding eight hundred dollars; to the Health Department, a sum not exceeding two thousand dollars; for extra expenses, a sum not exceeding two hundred dollars; for repairing the streets, lanes and alleys, a sum not exceeding five hundred dollars; that there be appropriated for the paving of streets, lanes and alleys a sum not exceeding three thousand dollars; and that there be appropriated for the lighting and watching of the City a sum not exceeding eleven thousand dollars, and that there be appropriated for the Commissioners of the watch, the sum of three hundred dollars in consideration of their superintending of the watch and lighting of the City.

And be it enacted and ordained, That the Mayor may from time to time draw on the Register to the amount of the aforesaid several appropriations for their respective purposes, and he is hereby directed to lay before the City Council a full and particular account of the expenditures of said money with the vouchers therefor.

And be it enacted and ordained, That this ordinance shall continue and be in force until the first day of March next.

Approved March 19th, 1798.

No. 98.

An ordinance regulating the gauging of casks in the City of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That a Gauger be nominated and appointed for the said City, whose duty it shall be when required to gange all wine, rum, molasses and other liquid merchandise (malt liquor excepted) imported, brought or put in any butt, tun, pipe, hogshead, barrel or other cask in the said City, and to mark and set down the true number of gallons according to the English standard, and excise of wine measure, which each cask or vessel will truly contain with his own mark, all which casks with the true marks and numbers with the owner or owners names, shall be entered in a book or books to be provided and kept for that purpose, to which recourse may be had as often as occasion may require; and the said gauger for each and every copy of any entry so made by him shall have and receive twenty cents, and for each and every cask so by him gauged shall have and receive eight cents, and for ullages upon casks heretofore gauged four cents and no more, and if any cask or other vessel gauged and marked by the gauger aforesaid, shall be found lacking or exceeding one or more gallons in every quarter cask, or two or more gallons in casks of a larger size, of the quantity so numbered and marked on the casks or vessels as aforesaid, the said gauger shall forfeit and pay two dollars for each and every gallon so lacking or exceeding the number or mark so set down on each cask, one half to the informer, and the other half for the use of the City.

A gauger to be appointed.

His duty.

Compensation.

Penalty for deficiency.

And be it enacted and ordained, That if any person or persons shall alter the marks or numbers so marked and set down by the gauger to be appointed as aforesaid, thereby to deceive and defraud the purchaser of such rum, wine, molasses, or other liquid merchandize so gauged, marked and num-

Penalty for altering marks, &c.

bered as aforesaid, or shall put false marks or numbers on any cask or casks of rum, wine, molasses, or other liquid merchandize, every such person or persons shall forfeit and pay twenty dollars for every such offence, one half to the informer and the other half for the use of the City.

Gauger to appoint deputies.

And be it enacted and ordained, That the gauger hereafter to be appointed shall have full power and authority by and with the advice and consent of the Mayor, to appoint a deputy or deputies under him, subject nevertheless to the same rules and regulations, penalties and restrictions as the gauger himself may or shall be by this or any other ordinance concerning the same, and for whose conduct he shall be answerable.

To give bond.

And be it enacted and ordained, That before the said gauger shall enter upon the duties of his office, he shall give bond with security to be approved of by the Mayor, to the Mayor and City Council of Baltimore, in the sum of one thousand dollars for the faithful discharge of the several duties required by this and every other ordinance concerning the same, and he and his deputy or deputies shall take the following oath or affirmation, (as the case may be) to wit:

Oath.

I, A. B. do solemnly swear (or affirm) that I will well and faithfully execute the office of gauger, or deputy gauger, within the city of Baltimore, between buyer and seller to the best of my knowledge and ability, without favor, affection or partiality, and shall also subscribe a declaration of their belief in the Christian religion.

Approved March 19, 1798.

No. 99.

A supplement to the ordinance entitled "An ordinance to restrain gaming, and to license and regulate theatrical and other public exhibitions, within the city and precincts of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of May next, no billiard table shall be erected, set up, kept or in any respect whatever used, for the purpose of either gaming or entertainment, within the City or the precincts, without a license for that purpose previously obtained from the Mayor, under the seal of the corporation, under the penalty of a sum not exceeding twenty dollars for each and every day that such billiard table may have been set up, kept or erected, without license, agreeably to the true intent and meaning of this ordinance.

No billiard tables to be used &c., until licensed.

Penalty.

And be it enacted and ordained, That every license granted as aforesaid, shall be expressed to be only for the term of one year from the date thereof, and for every license for the keeping of a billiard table, that shall or may be granted under this ordinance, the person obtaining the same, shall forthwith pay to the Register, for the use of the corporation, the sum of one hundred dollars, which shall be in lieu of every other tax imposed upon billiard tables.

Tax for license.

Approved March 19, 1798.

 No. 100.

An ordinance supplementary to the ordinance entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the staves of half barrels shall be twenty-two inches in length, and the diameter of the head thirteen inches.

Dimensions of casks.

Weight. And be it enacted and ordained, That each flour barrel weighing not less than eighteen pounds and tared on the same head with the mill brand, shall be deemed a merchantable cask, provided it is well and sufficiently made of good seasoned stuff, and otherwise agreeably to the ordinance to which this is a supplement.

Casks weighing less than 18 lbs. &c., may be inspected. Mayor's approbation. And be it enacted and ordained, That if any flour be hereafter submitted to the Inspector in casks, weighing less than eighteen pounds, as aforesaid, and not branded as aforesaid, and the Inspector shall be of opinion that the casks are made of good seasoned stuff, and sufficiently strong for exportation, and the flour in all respects merchantable, he may and shall with the approbation of the Mayor, pass and brand the same according to the degree of fineness thereof on the owner or agents paying a fine of ten cents on each cask for the use of the City.

Part of the original ordinance repealed. And be it enacted and ordained, That such parts of the ordinance entitled " An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned, and the supplement thereto, which are inconsistent with or contradictory to this ordinance, are hereby repealed.

Approved March 19, 1798.

No. 101.

An ordinance supplementary to the ordinance entitled " An ordinance directing the appropriation of certain sums of public money, for the use of the city of Baltimore."

Preamble. Whereas, it is represented to the Mayor and City Council of Baltimore, That the money appropriated for paving for the last year, hath not been sufficient for that purpose, and that the City Commissioners are yet in debt on account thereof.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the further sum of ^{Appropriation.} eight hundred dollars be appropriated for the purposes aforesaid, and that the City Commissioners with the approbation of the Mayor be, and they are hereby, authorized to draw on the Register of the City for the amount thereof.

And be it enacted and ordained, That an ordinance entitled "An ordinance to appoint City Commissioners," passed on the tenth day of April, ^{The ordinance to which this is a supplement continued.} seventeen hundred and ninety-seven be, and the same is hereby, continued until the first day of March next.

Approved March 21, 1798.

No. 102.

An ordinance for the payment of the journal of accounts.

Whereas, it appears by the journal of accounts of ^{Preamble.} this session, that there is now due from the city of Baltimore, the sum of one thousand and thirty-three dollars.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Register of the City shall and he is hereby, authorized to pay to the ^{Register directed to pay journal of accounts.} several persons, their executors, administrators or assigns, or order, or to such of them as shall apply for the same, the several sums of money allowed to them respectively, as they appear to be settled and ascertained by the said journal of accounts, out of any monies now in the treasury, or that shall come into the treasury subject to the appropriation of the Mayor and City Council.

Approved March 30th, 1798.

No. 103.

An ordinance appropriating a certain sum of money for filling up the Centre Market space.

Commissioners appointed.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That Thomas M'Eldery, Michael Diffenderffer and Cumberland Dugan, be, and they are hereby, empowered by, and with the advice and consent of the City Commissioners, to fill up the market space from Water street to Pratt street, inclusive.

To borrow money.

To be repaid in eighteen hundred and two.

And be it enacted and ordained, That the said Thomas M'Eldery, Michael Diffenderffer and Cumberland Dugan, be, and they are hereby authorized and empowered to negotiate and borrow on loan, a sum of money not exceeding fifteen hundred dollars for the purposes aforesaid, which money with legal interest thereon, shall be paid to the person or persons lending the same, in or before the year eighteen hundred and two.

Guarantee.

And be it enacted and ordained, That the corporation of the city of Baltimore, do hereby guarantee the payment of the said loan or loans and the interest thereon, to such person or persons as shall advance the same and shall and will indemnify and save harmless, the said Thomas M'Eldery, Michael Diffenderffer, and Cumberland Dugan, and the revenue of the said city is hereby mortgaged for the payment of the same agreeably to the terms specified by this ordinance.

Revenue of the city mortgaged.

Approved, April 23d, 1798.

No. 104.

An ordinance to prevent carriages of pleasure from taking their stands in the streets on Sundays, waiting for hire.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the publication of this ordinance, no owner or driver of any stage, hackney coach, or other carriage of pleasure, for hire or pay within this city, shall place any such carriage on any of the streets, lanes or alleys of the city on a Sunday and there wait for hire, under the penalty of five dollars for every such offence, for the use of the city.

No carriage, &c. to be placed in the streets, &c., on Sunday waiting for hire.

Penalty.

Approved May 15th, 1798.

No. 105.

An ordinance for the more effectual cleansing the gutters in the streets, lanes and alleys of the city of Baltimore.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That the inhabitants or occupiers of houses, and if unoccupied the owners of houses and lots on the paved streets, lanes and alleys of this city, from and after the publication of this ordinance, until the first day of November next, and from the first day of May until the first day of November annually thereafter, shall clean or cause to be cleaned the gutters in front of their buildings or lots, of all the filth and dirt found therein, and the same remove into the cartway opposite their respective houses or lots once in every day, (Sundays excepted) before ten o'clock, under the penalty of forfeiting and paying for every such neglect or offence, the sum of twenty-five cents for the use of the city.

Filth to be removed from the gutters every day, (Sundays excepted)

Penalty.

No. 106.

An Ordinance fixing the salary and compensation of the officers of the corporation of the city of Baltimore, and for the payment of the same.

Preamble.

Whereas, those who dedicate their time, abilities and labor to the public, ought to receive an adequate compensation for their services.—Therefore,

Salaries.

Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be allowed to the officers or persons hereinafter mentioned, the following annual compensation for their respective services, to be paid by orders drawn quarterly by the Mayor on the Register of the city.

To the Mayor for the last twelve months, twenty-two hundred dollars, including office rent, in one entire payment. To the Mayor for the ensuing twelve months twenty-four hundred dollars, including office rent.

To the Register fourteen hundred dollars.

To the Harbor Master three hundred dollars.

To the Superintendent of the mud machine six hundred and sixty-six dollars and sixty-seven cents.

To the clerk of the Centre market one hundred and sixty dollars.

To the clerk of the Hanover market eighty dollars.

To the clerk of the Point market one hundred dollars.

Salaries, per diems.

And be it enacted and ordained, That there be allowed to the officers or persons hereinafter mentioned, the following compensation for their services, to wit:

To the City Commissioners each, two dollars per diem for each day they may be employed in the service of the city.

To the clerks of the first and second branches of the city council, five dollars per diem for each day they shall be employed during the session.

To the messengers of the first and second branches of the City Council one dollar and fifty cents per diem, for each day they shall be employed during the session.

And be it enacted and ordained, That the compensation to the clerks and messengers of the branches of the City Council be paid out of any unappropriated money in the treasury, by orders drawn by the Mayor for that purpose, and that all other compensations allowed by this ordinance shall be paid out of any monies in the hands of the register, unappropriated by the ordinances of the corporation.

Approved May 15th, 1798.

No. 107.

An ordinance appropriating further sums of money for the repairing public pumps in the city of Baltimore.

Be it enacted and ordained by the Mayor and city council of Baltimore, That there be appropriated for the repairing the public pumps in the first ward, an additional sum not exceeding one hundred dollars, and for the public pumps in the second ward a sum not exceeding seventy-five dollars. Appropriation.

Approved June 21st, 1798.

No. 108.

An ordinance for regulating the sweeping of chimneys.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there shall be appointed and licensed for the city, three superintendents of chimney sweepers, one of whom shall have the sweeping of all chimneys within the district on the eastern side of Jones' Falls; one other shall have the sweeping of all chimneys within the district situated between Jones' Falls and the eastern side of St. Paul's lane and Light street inclusive; and the other shall have the sweeping of all chimneys within the district situated on the west side of St. Paul's lane and Light street inclusive; and that no person shall exercise the employment of a superintendent of chimney sweepers, in either of the said districts, unless he shall have previously obtained from the Mayor a license for such district, under the seal of the corporation and given bond, with security, as hereinafter directed, on pain of forfeiting, for every such offence, a sum not exceeding five dollars, to be paid to the corporation.

Three superintendents of chimney sweepers to be appointed.

City divided into three districts

To be licensed and give bond.

Penalty.

2. And be it enacted and ordained, That there shall be appointed and licensed for each of the said districts, one superintendent of chimney sweepers; provided, that such license shall have continuance only for the term of one year from the date thereof, and every such superintendent desirous of renewing his license, shall apply for the same to the Mayor each and every year, and for each and every such license, shall pay to the register, for the use of the corporation, the sum of fifty dollars, deducting therefrom a proportional part of the fifty dollars paid in the month of April last past, for the license by virtue whereof they now act; and that no such license shall be granted or renewed, until the person applying therefor shall have given bond to the Mayor and City Council of Baltimore, with sureties to the satisfaction of the Mayor, in the penal sum

A superintendent to be appointed for each district.

Proviso.

Licenses to be renewed annually.

Tax for license.

License not to be granted until bond be given.

of one hundred dollars, with condition that he will faithfully execute the employment of a superintendent of chimney sweepers in his district, will duly pay and satisfy all just claims that may be against him as such, and in all things well and faithfully perform the several duties required by the ordinance or ordinances of the corporation.

Duty of superintendents.

3. And be it enacted and ordained, That it shall be the duty of each superintendent, and he is hereby directed to apply to the occupier or occupiers of every house, or of any room or apartment within his district, for permission to sweep any chimney in such house, or belonging to such room, which hath been so much used as to require, in the opinion of the superintendent, to be swept, and hath not been swept at any time within the term of four weeks next preceding the day of such application; and if the said occupier or occupiers will not then permit such superintendent to sweep such chimney, or will not appoint a reasonable time within twenty-four thereafter, for the doing thereof, or will not permit such chimney to be swept at the time which may be so appointed, he, she or they shall pay to the superintendent, the same sum of money as if such chimney had been swept by him, and shall forfeit and pay to the corporation a sum not exceeding five dollars; and in such case the said superintendent shall, and he is hereby directed to apply each and every day for the sweeping of such chimney, until the same be actually swept; and upon every such application, if the occupier or occupiers of such house or room will not permit him to sweep such chimney, he shall be entitled, as aforesaid, to receive each and every day from such occupier or occupiers, the same sum of money as if such chimney had been swept by him each and every day, at the special instance and request of such occupier or occupiers, and shall forfeit and pay to the corporation, for each and every such offence, a sum not exceeding five dollars.

Chimneys to be swept monthly.

Penalty incurred on each application.

Penalties.

4. And be it enacted and ordained, That if any of the said superintendents do not every four weeks apply as aforesaid, for permission to sweep each and every chimney within his district, which by this ordinance ought to be swept, and each and every day (if necessary) repeat such application as aforesaid, he shall, for every such default, forfeit and pay to the corporation a sum not exceeding five dollars.

Rates.

5. And be it enacted and ordained, That no superintendent, licensed as aforesaid, shall demand or receive from any person whatsoever, directly or indirectly, for his services any other or greater fees or rates than are hereinafter limited and allowed, under the penalty of five dollars for every offence, to wit: for a chimney of one story, 8 cents; of two stories, 12½ cents; three stories, 15 cents; of four or more stories, 18 cents.

Penalty for chimneys catching fire.

6. And be it enacted and ordained, That if any chimney in the city or in that part of the precincts to which this ordinance shall extend, shall take fire and blaze out at the top, the superintendent within whose district the same chimney may be, shall forfeit and pay to the corporation the sum of ten dollars: Provided, nevertheless, that such forfeiture shall be paid by the occupier or occupiers of the house or room wherein such chimney may be in case he or she would not permit such chimney to be swept, upon application having been made therefor by the said superintendent, agreeably to the provisions of this ordinance.

Proviso.

Commencement.

7. And be it enacted and ordained, That this ordinance shall commence and be in force on the first day of January next; and that from and after the said day all laws, ordinances and regulations respecting the sweeping of chimneys within the city and precincts, and their taking fire, shall cease and be of no effect.

Former ordinances repealed.

8. And be it enacted and ordained, That the several regulations established by this ordinance shall extend to such parts of the precincts as will in the opinion of the Mayor in case of fire, endanger the city. Extension.

Approved December 12th, 1798.

No. 109.

An ordinance for preventing fires in the city of Baltimore.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the occupier or occupiers of every dwelling house, within the city, which may be valued in the assessment at a sum more than two hundred dollars, shall, on or before the 15th day of January next, provide him, her or themselves, with two well made leather fire buckets, hung up near the front door of the house, and the same keep in good repair, under a penalty not exceeding five dollars, for the use of the corporation, for each and every month he, she or they may be without such buckets, or that such buckets may not be in good repair, and in case any of the said buckets shall or may be lost, the same shall be replaced by such occupier or occupiers within one month thereafter, under the like penalty; and no person shall use any of the said buckets but in handling water at the times of fire, under the penalty of fifty cents, for each and every offence. Occupiers of houses to provide buckets.
Penalty.
If lost to be replaced.

2. And be it enacted and ordained, That the superintendent of chimney sweepers in each district, shall from time to time examine the houses and buildings in their respective districts, and see that they be properly furnished with buckets, according to this ordinance, and report all delinquents to the Mayor; and shall from time to time examine in their respective districts the fire-places and chimneys of all houses, out-houses and buildings, and all stoves Superintendents to see that buckets are provided.
To report delinquents to the Mayor.

and pipes thereof, and the places where ashes, hay, straw or other combustible matters, are or shall be kept, and all smoke houses; and upon finding any of them defective or dangerous, shall give notice thereof to the Mayor, who shall, at his discretion, order the same to be removed, altered or amended; and if any person shall neglect or refuse to obey such order, such person shall forfeit and pay a sum not exceeding five dollars, for the use of the city, and the same shall forfeit and pay, each and every week thereafter, until such order shall be obeyed.

To report dangerous stove pipes.

The Mayor may remove or alter in his discretion.

Penalty on persons refusing to comply.

3. And be it enacted and ordained, That no person shall erect, or continue erected any chimney or stove within this city, in such a manner as that the smoke thereof shall annoy any neighbor, or the citizens in passing; and upon the complaint of any two citizens thereof to the Mayor he shall, at his discretion, order the same to be altered or removed, and if any person shall neglect or refuse to obey such order, such person shall forfeit and pay a sum not exceeding ten dollars, for the use of the city, and the same shall forfeit and pay each and every week thereafter, until such orders shall be obeyed.

No stove pipe to be erected so as to annoy a neighbor.

Mayor may remove.

Penalty on persons refusing to comply.

4. And be it enacted and ordained, That no person shall erect, or have in his, her or their house or apartment, any stove, the pipe whereof passes through the side or end of any wooden building, or the roof of any building, without the approbation of the superintendent of chimney sweepers of the district, who shall see that such stove be safely placed, and that the pipe thereof to conduct the smoke, be led in such a manner as not to endanger the house in which such stove is placed, or the adjoining buildings; and if any person shall erect or continue erected any stove as aforesaid, without such approbation, said superintendent shall give notice thereof to the Mayor, who shall at his discretion order the same to be altered or removed; and if any person shall neglect or refuse to obey such order, such person shall forfeit and pay a sum not exceeding ten dollars, for the use of the cor-

No stove or pipe to be erected without superintendent's approbation.

Penalty.

poration, and the same shall forfeit and pay each and every week thereafter until such order shall be obeyed.

5. And be it enacted and ordained, That from and after the first day of May next, no person shall erect a stove, and conduct the pipe thereof through the side or end of any wooden house or the roof of any building, under the penalty of forfeiting a sum not exceeding ten dollars, for the use of the city; and the same shall forfeit and pay each and every month thereafter, until such pipe be removed.

Penalty on persons erecting stoves.

6. And be it enacted and ordained, That the several regulations of this ordinance shall extend to such parts of the precincts as in the opinion of the Mayor in case of fire would endanger the city.

Extension.

Approved December 12th, 1798.

No. 110.

An ordinance for erecting an additional number of lamps in the city of Baltimore.

[The commissioners of the watch in conjunction with the Mayor were authorized by this ordinance to contract for the erecting of any number of additional lamps not exceeding thirty, in such places in the city as should seem most to require them.]

Approved December 12th 1798.

JAMES CALHOUN, *Mayor of the City.*

R. H. MOALE, *Register.*

Members of the First Branch of the City Council.

JAMES CAREY, *President.*

James Carey,	}	<i>First Ward.</i>
Ephraim Robinson,		
George Buchanan,	}	<i>Second Ward.</i>
George Prestman,		
Robert Smith,	}	<i>Third Ward.</i>
Peter Hoffman,		
David M'Meichen,	}	<i>Fourth Ward.</i>
John Hillen,		
Thomas Hollingsworth,	}	<i>Fifth Ward.</i>
Adam Fonerden,		
Peter Frick,	}	<i>Sixth Ward.</i>
Baltzer Schaffer,		
James Edwards,	}	<i>Seventh Ward.</i>
Robert Stewart,		
Joseph Biays,	}	<i>Eighth Ward.</i>
James Beeman,		

Thomas Kell, *Clerk.*

Thomas Roberts, *Messenger.*

Members of the Second Branch of the City Council.

JOHN MERRYMAN, *President.*

William Goodwin,		Henry Nicols,
Nicholson Rogers,		Robert Gilmore,
John Merryman,		Richard Lawson,
Edward Johnson,		Job Smith.

R. H. Moale, *Clerk.*

Thomas Cooper, *Messenger.*

City Commissioners :

David M'Mechen, Thomas Usher,
 David Williamson, Richard Caton,
 Thomas Cole.

Commissioners of the Watch and lighting the City :

George G. Presbury, Job Smith, Lyde Goodwin.

Commissioners of Health :

William Winchester, Joseph Townsend,
 Michael Diffenderffer, John E. Reese,
 Wm. C. Goldsmith, John Dalrymple,
 Levin Hall, James Biays,
 Ben. Thomas,

Commissioners to make a survey of the harbor and port of Baltimore.

William Patterson, David Stewart,
 Seth Barton.

Inspectors of Flour :

George W. Moore, Isaac Trimble.

George Mathews, *Inspector of Salted Provisions.*

Superintendents of Pumps :

For the 1st Ward—George Decker.
 “ 2d “ George Prestman.
 “ 3d “ Job Smith.
 “ 4th “ William Wilson.
 “ 5th “ Paul Bentalou.
 “ 6th “ Baltzer Schaffer.
 “ 7th “ David Brown.
 “ 8th “ John Lee.

Joseph Smith, *Harbor Master.*

John Hopkins, *Collector.*

James Hicks, *Superintendent of the Streets.*

Benjamin J. Mercer, *City Constable.*

Christopher Cruse, *Sup't of Mud Machine.*

Assessors :

Jacob Fite, Samuel Vincent,
Joshua Enloes.

Lavallin Barry, *Clerk of the Hanover Market.*

James Long, *Clerk of the Centre Market.*

John Weir, *Clerk of the Point Market.*

Measurers of Lumber.

William Carman, Charles Constable,
James Morrins, William Ensor.

John Guttro, *wood corder for the First District.*

Charles Ward, “ “ *Second* “

Samuel James, “ “ *Third* “

Peter Weary, “ “ *Fourth* “

Wood Inspectors.

Richard Bond, Patrick Mullen,
Andrew Carson, Peter Weary.

Hay Weighers.

Richard Bouldin, Robert Dew.

John Fennel, *Gauger.*

John Patrick, *Keeper of the Powder Magazine.*

Superintendents of the Sweeps.

George Thornburgh, John Cummins,
Richard Bear.

LEGISLATIVE REFERENCE
CITY HALL
BALTIMORE, MD

ORDINANCES.

—◆—
1799--1800.
—◆—

No. 1.

An ordinance for appropriating three thousand dollars to finish and complete the Hospital now building in the precincts of the city of Baltimore.

[The Legislature of Maryland having given 8,000 dollars for the founding of this hospital, and the further sum of 3,000 dollars to complete the same, on condition that the corporation would appropriate 3,000 dollars in addition to that sum—3,000 dollars was appropriated for that purpose, and the Mayor was authorized to draw on the register for the same.]

Approved February 20th, 1799.

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No. 2.

An ordinance for filling up and paving the street at Bowly's wharf and for repairing the said wharf.

[The city commissioners were authorized to draw on the register for a sum of money not exceeding 300 dollars in aid of the street tax, for filling up and paving that part of the street between South street and Franklin lane, and for repairing the said wharf.]

Approved February 20th, 1799.

No. 3.

An ordinance for finishing the stone bridge on Wilk street.

[The city commissioners were authorized to finish the stone bridge on Wilk street, and the sum of 100 dollars was appropriated for that purpose.]

Approved February 20th, 1799.

No. 4.

An ordinance to add to the city of Baltimore, part of the precincts lying north of Saratoga street.

Preamble.

Whereas, the owners of lots in that part of the precincts bounded on the south by Saratoga street, on the west by an alley, one hundred and twenty feet from Howard street; on the north by New street, and on the east by Lerew's alley, have by their petition to the Mayor and City Council of Baltimore, desired to be added to the city, and public notice having been given in several newspapers of this city of such application,

Commissioners
appointed to sur-
vey.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners, or a majority of them, shall on or before the first day of April next, cause a correct and accurate survey and plat to be made of the said land, included within the boundaries aforesaid; and all the lots of ground, streets, lanes and alleys, with numbers to the said lots, and names to the streets, lanes and alleys; and when the same shall be done, and the said ground and premises so surveyed and laid out, including the said streets, lanes and alleys, shall be, and are hereby declared to be part of the city of Baltimore, and as belonging to the first ward of said city, as fully and amply as if originally inclu-

ded therein; and shall have the same immunities, rights and privileges as the said city has; and subject to all the laws and ordinances of the corporation of the city. Rights reserved.

2. And be it enacted and ordained, That the commissioners aforesaid, or a majority of them, shall, on or before the tenth day of April next, return a correct survey and plat of the said addition to said city, together with their proceedings, under their hands and seals, to the register of the said city, to be by him recorded amongst the records of said city, there to remain as evidence of the boundaries, situation and location of the said lots, and of the streets, lanes and alleys aforesaid. Return a correct survey to the Register of the city.

3. And be it enacted and ordained, That the expense of said survey and proceedings shall be defrayed by the corporation. Expense defrayed by the corporation.

Approved February 26th, 1799.

No. 5.

An ordinance for the better regulation of stages and hackney carriages.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the tenth day of March next, no owner or driver of any stage, hackney coach, or other carriage of pleasure, kept for hire, shall place such carriage when unemployed on any of the streets, lanes or alleys of the city, and there wait for hire, as is hereinafter directed, under the penalty of forfeiting for every such offence, a sum not exceeding five dollars, for the use of the corporation. Stages not to be placed on the street when unemployed except as is directed.

To be placed in
the middle of
the street.

2. And be it enacted and ordained, That each and every such carriage when unemployed, and in any of the streets of the city, and not in motion, shall be placed by the driver thereof in the middle of such street, and lengthways; and that no more than one range of such carriages shall stand in any street, and such carriages shall be ranged parallel to the front of the houses, and at a distance not less than fifty feet from each other, and in such manner as not to obstruct the passing of wagons or other carriages, in the streets, and as not to prevent foot passengers from crossing a street in the direction and line of the footway on the side of any other street.

Drivers to keep
the reins in their
hands.

3. And be it enacted and ordained, That every driver of any carriage aforesaid, while occupying any stand and unemployed as aforesaid, shall sit in such carriage or stand near thereto with the reins in his hands, or in such manner as to have the same within his reach, and shall not absent himself therefrom unless he shall have left such carriage in charge of some person during such absence, under the penalty of forfeiting one dollar, for the use of the corporation.

Stages to be
numbered.

Penalty.

4. And be it enacted and ordained, That every owner of any carriage aforesaid whose carriage shall not be numbered with black paint upon a white ground in the centre of the middle panel of each side, and of the back, with plain and conspicuous figures of at least three inches in length, on or before the first day of April next, shall forfeit and pay five dollars, for the use of the corporation, and a like sum for every week such carriage shall be employed for hire and not numbered in the manner aforesaid.

Approved February 26th, 1799.

No. 6.

An ordinance to authorize a lottery to raise a sum of money to be applied to the defraying of the expenses of conveying pure and wholesome water into the city of Baltimore, and of distributing it into the different parts thereof.

[Commissioners were appointed to carry this ordinance into effect, and the sum of 4,381 dollars and 70 cents was raised for the purpose of introducing pure and wholesome water into the City.]

Approved February 26th, 1799.

 No. 7.

An ordinance to appoint City Constables for the purpose of detecting offences against the several ordinances of the corporation.

Whereas, it has been found from experience that Preamble. the ordinance entitled "An ordinance to appoint a City Constable," is inadequate to the end proposed by the same; therefore,

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby, authorized to appoint a suitable person The Mayor to appoint City Constables. or persons in each ward, whose duty it shall be to visit the different parts of his ward, and to give information to the Mayor or other magistrate of all Their duty. nuisances within the same; also of all obstructions and impediments in the streets, lanes and alleys; and of offences committed against the laws and ordinances in being; and of the names of the offenders and witnesses, to the end that prosecutions may be commenced and obedience enforced to the regulations for the well governing of the City, and generally to do and perform all such other matters and things as the Mayor shall reasonably require.

2. And be it enacted and ordained, That a sum not exceeding five hundred dollars be, and is hereby, appropriated as a compensation to the said constables for the due and faithful discharge of the several duties prescribed by this ordinance; and the Mayor is hereby directed to apportion the aforesaid sum or any part thereof in such manner as shall appear to him best calculated to carry this ordinance fully into effect.

Appropriation.

To be apportioned.

3. And be it enacted and ordained, That this ordinance shall commence on the 10th day of March next ensuing, and continue and be in full force until the 10th day of March, eighteen hundred.

Commencement

Approved February 26th, 1799.

No. 8.

An ordinance to repeal part of an ordinance declaring certain duties and powers of the Mayor and Register.

Repealed.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the first section of the ordinance entitled "An ordinance declaring certain duties and powers of the Mayor and Register," be, and the same is hereby, repealed.

Approved February 26th, 1799.

No. 9.

An ordinance appropriating money for filling up and paving Market street, and Market space at Fell's Point.

[The City Commissioners were directed to fill up and pave Market street and Market space from the north side of Aliceanna street to the south side of George and Fell's streets, and were authorized, with the approbation of the Mayor to borrow a sum of money on loan not exceeding 2,000 dollars for that purpose, to be paid in the year 1802.]

Approved February 27th, 1799.

No. 10.

An ordinance for filling up and paving part of Charles and Pratt streets.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, authorized and directed to cause that part of Charles street which is situated between Pratt street and Barre street, to be filled up to such height or level as they may judge the said part of a street ought to be raised for the end or purpose of being paved.

Commissioners
to pave part of
Charles street,
&c.

2. And be it enacted and ordained, That for the defraying the expense of the same the said City Commissioners, with the approbation of the Mayor, be, and they are hereby, empowered to receive and accept, upon loan, a sum of money not exceeding four hundred dollars, to be by them applied to the filling up the said part of the street in the manner aforesaid, which said sum of money shall be repaid by the corporation of the city of Baltimore at or before the year eighteen hundred and one, with an interest of six per centum per annum, to the person or persons who shall or may loan the same.

To borrow four
hundred dollars
on loan.

3. And be it enacted and ordained, That the said City Commissioners, with the approbation of the Mayor, are hereby empowered to draw on the Register of the City for any sum not exceeding three hundred dollars, to fill up and mend Pratt street wharf and to pave the same.

May draw three
hundred dollars
to mend Pratt
street wharf.

Approved February 26th, 1799.

No. 11.

A Supplement to the ordinance entitled an ordinance to regulate the inspection of lumber.

Cullings not to be mixed with inspected shingles.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That if any seller or sellers of shingles shall knowingly mix any cullings or unmerchantable shingles with shingles that have been duly inspected and culled agreeably to the ordinance to which this is a supplement, or shall knowingly mix the shingles of one size or quality with the shingles of another size or quality, every such offender or offenders shall forfeit and pay a penalty of two cents for every such culling or shingle so mixed as aforesaid.

Penalty.

Planks to be piled with butt ends together.

2. And be it enacted and ordained, That all plank and scantling shall, before it is inspected, be stocked and piled with their butt ends thereof together; and it shall, and is hereby, declared to be the duty of the several inspectors, measurers and markers mentioned in the ordinance to which this is a supplement, to mark the quantity and quality of the several parcels of plank and scantling so by them inspected on the stump shed end.

To be marked.

Inspectors may employ assistants.

3. And be it enacted and ordained, That any of the said inspectors, from time to time, when on account of sickness or hurry of business he cannot attend to or perform the duties required of him by this ordinance or the ordinance to which this is a supplement, shall have power, with the approbation of the Mayor, to employ such assistant or assistants as he may judge necessary, for whose conduct the said inspector shall be answerable.

Penalty for mixing plank of different qualities.

4. And be it enacted and ordained, That if any seller or sellers of plank or scantling shall knowingly mix the plank or scantling of one quality with the plank or scantling of another quality after the

same shall have been marked as aforesaid, every such offender or offenders shall forfeit and pay a penalty of twenty-five cents for every such piece of plank or scantling so mixed as aforesaid.

Approved February 26th, 1799.

No. 12.

An additional supplement to the ordinance entitled "An ordinance to regulate the inspection of lumber."

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That all boards and plank shall hereafter be measured by superficial measure, without regard to thickness, and that all scantling shall hereafter be measured by side and edge measure. Boards to be measured by superficial measure.

2. And be it enacted and ordained, That lath shall not hereafter be inspected unless in cases of dispute, and at the special instance and request of either the seller or the purchaser. Laths not to be inspected.

3. And be it enacted and ordained, That there shall be the two following additional qualities of boards and plank, to wit: three-quarter inch, and inch and three-quarter board and plank; and that three-quarter inch boards of the first quality shall be sawed not less than three-quarters of an inch in thickness, square edged, not less than two-thirds heart, and free from knots and splits: and that all other three-quarter inch boards to be of the second quality; and that all inch and three-quarter boards of the first quality shall be sawed so as to be not less than an inch and three-quarters in thickness, square edged, all heart and free from splits and knots; and that all inch and three-quarter boards of the second quality shall be sawed so as to be not less than one inch and three-quarters in thickness, Qualities of plank. Dimensions.

square edged, not less than one-half inch and free from splits; and all other inch and three-quarter boards to be of the third quality.

Inspector to exercise his discretion as to knots or splits of no importance.

4. And be it enacted and ordained, That whenever a board or plank shall have a knot or split so small and unimportant as in the judgment of the inspector not to be essentially injurious in the use of such board or plank, the inspector may in his discretion determine upon its quality without regard to such knot or split, anything in the ordinance to which this is a supplement to the contrary notwithstanding.

Unsound plank to be condemned and marked with the letter O and cross.

5. And be it enacted and ordained, That all unsound rotten boards, plank and scantling shall be condemned and marked with a round O and cross, made with a marking iron, and in the measuring thereof the unsound rotten parts shall not be included.

Additional inspectors appointed.

Compensation.

6. And be it enacted and ordained, That there be appointed three additional inspectors, measurers and markers, one of whom shall reside in the eighth ward, who shall perform the same duties and be entitled to the same compensation as is allowed to the inspectors, measurers and markers by the ordinance to which this is a supplement.

Approved June 18th, 1799.

No. 13.

An ordinance to preserve the health of the City.

Preamble.

Whereas, the introducing of a sufficiency of pure wholesome water into large populous cities has ever proved great conducive to the health of the inhabitants; and, whereas, it is ascertained that the waters of either Gwynn's Falls, Jones' Falls or Herring

Run may be brought into the city of Baltimore, and may be distributed to all the different parts thereof; and, whereas, the welfare of the said City and the health of its inhabitants require that one of the said bodies of water be introduced into the said City; therefore,

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor, by and with the advice and consent of William Patterson, Archibald Campbell, George Salmon, Wm. Cooke, William Smith, John Eager Howard and John O'Donnell, or any three or more of them, cause the said waters of either Gwynn's Falls, Jones' Falls or Herring Run to be conveyed into the said city of Baltimore, and to be distributed by pipes into the different parts thereof.

The Mayor to cause Gwynn's Falls, &c., to be conveyed into the city.

2. And be it enacted and ordained, That the Mayor, by and with the advice and consent of the said William Patterson, Archibald Campbell, Geo. Salmon, William Cooke, William Smith, John Eager Howard and John O'Donnell, or any three or more of them, is hereby empowered to contract with any person or persons whatsoever for the conveying and distributing of either of the said waters into and through the City; and for the securing of the right to the same to the corporation, in such manner and upon such terms and conditions as to him and them shall appear reasonable and proper.

To contract for the same.

3. And be it enacted and ordained, That the Mayor, by and with the advice and consent of the said William Patterson, Archibald Campbell, Geo. Salmon, William Cooke, Wm. Smith, John Eager Howard and John O'Donnell, or any three or more of them, is hereby further empowered to borrow (if to them it shall seem advisable) money for the purpose of effecting the object of this ordinance; and for the due and faithful repayment of such money to pledge the funds of the corporation from the profits which may arise from the conveyance

The Mayor to borrow money for the purpose.

Proviso.

and distribution of the said water, and from any and every lottery that shall hereafter be established by ordinance; provided, nevertheless, that no loan of money that shall or may be negotiated as aforesaid, nor any contract for the purchasing of any right or title, or any system for the conveying and distributing the said water, be finally made and adopted until the same be submitted to the consideration of the Mayor and City Council, and by them approved and confirmed.

Appropriation.

4. And be it enacted and ordained, That the Mayor be, and he is hereby, authorized to draw upon the Register of the City for a sum of money not exceeding five hundred dollars, to defray the expense of levelling the water and examining the grounds, and drawing plans which may be necessary to carry this ordinance into effect.

Approved February 26th, 1799.

No. 14.

An ordinance for filling up and raising part of George, Lancaster and Wolf streets and Happy alley.

Preamble.

Whereas, the low and sunken situation of these streets, being overflowed with water, renders that part of the City unhealthy, for remedy thereof,

Commissioners
to raise George
street, &c.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, empowered and directed to raise, or cause to be raised, such parts of the above mentioned streets and alley, so as to remove the nuisance occasioned thereby, and render them passable.

2. And be it enacted and ordained, That the Commissioners aforesaid are hereby empowered to borrow on loan a sum not exceeding one thousand dollars, on an interest of six per centum, payable on or before the year eighteen hundred and four, for which loan the revenue of the City is hereby pledged, and the Commissioners who negotiate the loan shall be indemnified.

To borrow money not exceeding one thousand dollars.

Approved February 27th, 1799.

No. 15.

An ordinance for the inspection of casks containing liquor distilled from domestic materials and brought to the city of Baltimore for sale.

Whereas, it hath been represented to this corporation that great inconvenience is suffered from the badness of casks containing liquors distilled from domestic materials, and fraudulent practices used by persons bringing such liquors to the city of Baltimore for sale, for remedy whereof,

Preamble.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be appointed an inspector, whose duty it shall be to carefully examine and inspect all casks containing liquors distilled from domestic materials, which may be brought to the city of Baltimore for sale; and that when in the judgment of the said inspector any cask shall be merchantable, agreeably to the provisions of this ordinance, he shall mark the same with the letter B with the marking iron on the bilge near the bung of such cask, and that when the said inspector shall judge any cask to be defective in the make thereof, he is hereby authorized and directed to condemn every such cask as unmerchantable, and shall mark the same with a marking iron on the bilge near the bung thereof with a broad arrow, and the said in-

Inspector to be appointed.

When merchantable or unmerchantable, how marked.

Compensation. spector shall be entitled to receive the sum of two cents for every cask by him inspected and marked in pursuance of this ordinance, to be paid by the seller or sellers thereof.

Materials of casks.

2. And be it enacted and ordained, That from and after the first day of September next, all casks containing any liquors aforesaid brought to the city of Baltimore for sale, or that shall be offered for sale therein, shall be made of well seasoned white oak, free from sap, round at the bilge and heads, the staves thereof shall not be less than half an inch in thickness at the thinnest part thereof, and not more than three-fourths of an inch at the thickest part thereof, and shall be made tight and secured with twelve good and sufficient hoops on all barrels, and sixteen good and sufficient hoops on all double barrels and hogsheads; and all such casks before they are offered for inspection shall be branded upon the head thereof with the initials of the name of the owner of the distillery at which the liquor therein contained may have been distilled, and the said inspector shall not pass any such cask unless the same be branded as aforesaid.

To be branded with the owner's name.

Penalty.

3. And be it enacted and ordained, That from and after the said first day of September, every person or persons who shall bring any cask containing any liquor aforesaid to the city of Baltimore for sale contrary to the provisions of this ordinance, every such person or persons so offending shall forfeit and pay for every such cask one dollar, for the use of the corporation.

Approved February 27th, 1799.

No. 16.

An ordinance for establishing two streets, and erecting a bridge over Jones' Falls to connect said streets.

Whereas, the proprietors of the ground have by Preamble. their memorial to the Mayor and City Council of Baltimore expressed their consent that a new street be established between Franklin lane and Jones' Falls, in the direction of Pratt street, and that a new street be established between Queen's street and the said Jones' Falls; and have also represented that the erecting of a good substantial bridge over said falls at the extremity of said streets so continued would considerably facilitate the commercial intercourse of the several parts of the City, and that they have raised a considerable sum of money by subscription for the aforesaid purpose, and pray that the sum of one thousand dollars be granted to them to finish and complete the same, which appearing reasonable, therefore,

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That Thomas Yates and Thomas M'Elderry be, and they are hereby, authorized and empowered to draw on the Register of the City for the sum of six hundred dollars, for the purpose of finishing and completing said bridge; provided that the said Thos. Yates and Thos. M'Elderry, before they draw the said sum of money, give bond, with security to be approved by the Mayor, for the well and faithful laying out and expending the said monies on the said bridge; and that they will finish and complete the same, and fill up Queen street aforesaid, and Pratt street so continued from said bridge to the Market space, so as to render said streets of public utility, and fit to be paved when the general interest of the City shall require it. Six hundred dollars appropriated. Provision.

2. And be it enacted and ordained, That when the said bridge is erected and built, the same shall be forever thereafter a public highway. The bridge declared a highway.

Commissioners
to open two
streets.

To return plats,
&c.

3. And be it enacted and ordained, That the City Commissioners shall, and they are hereby, directed and authorized to survey, lay out and open a street between the said Franklin lane and Jones' Falls in the direction of Pratt street, and of such width as to the City Commissioners shall seem right and proper; and a street between Queen's street and Jones' Falls in such direction and of such width as to the City Commissioners shall seem right and proper; and the said City Commissioners are hereby directed to return a plat ascertaining the extent and limits of the said streets to the Register of the City, who shall receive and file the same as part of the plat of the said City; and the said streets shall ever thereafter be deemed and taken, and they are hereby, established and declared to be public streets of the city of Baltimore, to all intents and purposes whatsoever, as fully and amply as if the said streets had been public streets of Baltimore town at the time of its original establishment.

Approved February 27th, 1799.

No. 17.

An ordinance to provide for conveying a stream of water, and for appropriating a sum of money to defray the expense of the same.

Preamble.

Whereas, it appears by the petition of sundry persons, owners of property on or near Harford street, that they are desirous of improving the same, but are prevented in a great measure by the frequent overflowing of a stream of water that passes through a part thereof, which said stream of water they request the privilege of conducting down Harford street; and it being also represented by the Board of Health that if the same was carried into effect, it would have a tendency to promote the health of that part of the City; therefore,

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That it shall, and may be, lawful for John Stricker, Richard Lawson and Joseph Townsend to conduct the said stream of water which now runs from Pitt street, under the stone bridge on Dulany street, and from thence to the stone bridge at the causeway down Harford street aforesaid, by a suitable canal or drain not less than ten nor more than fifteen feet in width, to be made through the centre of said street, and to assist in defraying the expense of making the said canal or drain; the Mayor is hereby authorized and directed to draw upon the Register of the City for the sum of one hundred and fifty dollars, to be applied there-
Persons appointed to conduct said stream.
Appropriation.

2. Provided, and be it enacted and ordained, That before the said John Stricker, Richard Lawson and Joseph Townsend shall have or derive any license or authority under the provisions of this ordinance, they shall give bond with sufficient security, to be approved by the Mayor, to the Mayor and City Council of Baltimore for the completing or causing to be completed the said canal or drain, and the erecting a good and sufficient bridge with stone abutments twenty-five feet apart, to be approved by the Mayor, at the intersection of York and Harford streets, over the said stream of water when turned, and that nothing shall be done in the execution of the said undertaking that shall intercept or incommode any of the fording places where the said canal or drain shall cross any of the streets of the City in its said progress between the said Pitt street and the stone bridge at the causeway.
Proviso.
To give bond.

Approved February 27th, 1799.

No. 18.

An ordinance for regulating the measuring of corn, flax seed, peas, beans, salt and coal imported into the city of Baltimore.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be appointed **Measurers to be appointed.** two proper and discreet persons, one of whom shall reside in the eighth ward, to be measurers of all kinds of corn, flax seed, peas, beans, salt and coal imported into or brought into the port and city of Baltimore for sale; which officers, before they enter on the duty of their offices, shall each take and subscribe before the Mayor, on oath or affirmation, that **To make oath.** he will in all things well and faithfully execute the office of measurer of corn, flax seed, peas, beans, salt and coal within the City and port of Baltimore according to the best of his knowledge and ability, and the directions contained in this act.

2. And be it enacted and ordained, That the duty of each of the said officers shall be to provide, at his own cost, a sufficient number of barred half bushel measurers for corn, flax seed, peas and beans, and unbarred half bushel measures for salt, and two bushel tub measures for coal, made of dry, well seasoned white oak, and to have the same compared with and regulated by the public standard measure kept in the City, at least twice in every year that the same may be used; to employ a sufficient number of able bodied and trusty persons to act as his **To provide measures.** deputies in the measuring of all kinds of corn, flax seed, peas, beans, salt and coal which shall be imported and brought into the port and city of Baltimore for sale; which deputies, before they shall take upon themselves to measure any corn, flax seed, peas, beans, salt or coal, shall take and subscribe before the Mayor the like oath or affirmation hereinbefore mentioned; that each of the said officers, upon notice given to him that any ship or vessel, wagon or cart, hath imported or brought into the port or city of Baltimore any corn, flax seed, peas, beans, salt or coal, **To employ deputies.**

and that the same is sold and ready to be delivered to the purchaser, shall send one or more of his deputies within half an hour to measure the same, which deputy or deputies shall well and faithfully measure the same with the measures before mentioned, and shall forthwith deliver to the seller an account of the number of bushels by him measured and delived, and a duplicate thereof to the buyer, and shall every day on which he shall measure any corn, flax seed, peas, beans, salt or coal return to the said officer an account of the whole quantity by him measured, with the name of the seller and buyer, and the ship, vessel, wagon or cart from which the same was delivered; each of the said officers shall keep a fair book, in which he shall register the date and names of the sellers and buyers, the quantity and the species of the corn, flax seed, peas, beans, salt and coal measured, which books shall be open for the inspection of the sellers and buyers at any time when they shall have occasion to refer to the same.

Deputies to be sent in half an hour after notice.

Deputies to deliver an account to the seller, and daily accounts to the officer.

Officers to keep fair books.

3. And be it enacted and ordained, That each of the said officers, for keeping the said measures and registry, and performing the other duties hereby enjoined, shall be entitled to demand, recover and receive from the buyers of all kinds of corn, flax seed, peas, beans, salt and coal at the rate of ten cents for every hundred bushels thereof bought and sold within the city and port of Baltimore, and no more; and the deputy measurers aforesaid shall be entitled to demand, receive and recover from the sellers of all kinds of corn, flax seed, peas, beans, salt and coal which they or any of them shall measure, by filling and striking the measures at the rate of twenty-five cents for every hundred bushels, and no more.

Compensation to officers.

To deputies.

4. And be it enacted and ordained, That before either of the said officers enter upon the duties of their office, they shall each take out a license from the Mayor, under the seal of the corporation, for

To take oath.

which they shall each pay ten dollars, and the same renew annually.

Approved March 2d, 1799.

No. 19.

An Ordinance to fix the salaries of the officers herein mentioned.

[Four hundred dollars allowed the superintendent of the streets as a compensation for his services and the half of all penalties recovered upon his information. And the sum of two hundred dollars to the clerk of the Centre Market for his services for the year 1799.]

Approved March 2d, 1799.

No. 20.

An Ordinance to impose a tax on the real and personal property within the City of Baltimore, and to provide for the collection of the same.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a tax of fifteen shillings current money of Maryland shall be, and hereby is, laid and imposed upon every hundred pounds' worth of property within the city of Baltimore, and in the same proportion for any greater or less sum, as the said property shall have been valued in virtue of an Act of Assembly entitled, "An Act for the valuation of real and personal property within this State," passed at November session, in the year seventeen hundred and ninety-seven, and specified in the return or returns of the assessment made by the assessors, as well to the commissioners of the county as to the commissioners of the city of

A tax of fifteen shillings imposed on property.

As valued in virtue of an Act of Assembly.

Baltimore, in virtue of the said Act of Assembly, and the said tax shall be paid, collected and received in the manner hereinafter directed.

2. And be it enacted and ordained, That there be a collector appointed to collect the tax imposed, who, before he enters upon the execution of his office, shall take and subscribe the oath or affirmation directed by the act of incorporation, and give bond to the Mayor and City Council of Baltimore in the penal sum of ten thousand dollars, with security to be approved of by the Mayor, for the well and faithful execution of the trust reposed in him by this ordinance; and that he will pay monthly to the Register of the City such sums of money as he shall receive in the course of collection, and that he will complete the said collection on or before the first day of December next.

A collector to be appointed.

To give bond.

To make monthly payments.

3. And be it enacted and ordained, That the said collector shall make out and deliver to each taxable, or leave at their last place of abode, or if non-resident, at the property, an account in writing of his said assessment, containing the items in words at length, and the amount thereof, which said account shall be so delivered or left on or before the first day of August next.

Collector to deliver account to each taxable.

4. And be it enacted and ordained, That if the said tax is not paid by the first day of September next, that, then and in such case the said collector is hereby authorized and directed to proceed to recover the same agreeably to the mode prescribed by the act of incorporation; and he shall have and receive a commission of six per centum for collecting the same, and the same commission of six per centum for collecting all other taxes of the corporation imposed by ordinance.

Mode of recovery.

Commission.

5. And be it enacted and ordained, That the Mayor of the City be authorized to make transfers on the book of assessment of the said City, and to allow for insolvencies as the commissioners of the

The Mayor authorized to make transfers and allow for insolvencies.

tax for Baltimore Town are authorized to do by the said act of the General Assembly of Maryland, entitled "An Act for the valuation of real and personal property within this State," passed at November session, seventeen hundred and ninety-seven.

6. And be it enacted and ordained, That the Mayor be, and he is hereby, authorized and empowered to draw on the Register of the City for a sum not exceeding one hundred and twenty dollars to procure a copy of the returns of the assessment in a plain fair hand writing, for the use and direction of the collector aforesaid.

The Mayor empowered to draw for one hundred and twenty dollars to procure a copy of the assessment.

And the said collector is hereby directed to cause the said copy to be made in such manner and form as to him shall appear right and proper, and in a good and sufficient book to be provided by the Mayor for that purpose.

The collector to direct the form.

7. And be it enacted and ordained, That the collector of the tax for the year seventeen hundred and ninety-eight shall be entitled to have and receive as a compensation for his service for said year an additional commission of one per centum upon the fifteen shillings tax for said year by him collected.

Additional commission.

Approved March 2d, 1799.

No. 21.

An ordinance respecting the night watch in the city of Baltimore.

[The commissioners of the watch, in conjunction with the Mayor, were authorized to contract for the watching and lighting the City for the ensuing year.]

Approved March 2d, 1799.

No. 22.

An ordinance to prevent the erection of wooden buildings within certain limits of the city of Baltimore.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passing of this ordinance no wooden mansion house, shop, warehouse, carriage house, stable, nor any other wooden building, (excepting fire engine houses) shall be erected within that part of the city of Baltimore which is comprised within the limits hereinafter mentioned, to wit:—Beginning at the corner formed by the intersection of the south side of Camden street and the east side of Howard street, and running thence north with, and bounding on Howard street, until it intersects German street; thence west with German street to Eutaw street; thence north with Eutaw street to Lexington street; thence east with Lexington street to Conewaga street; thence eastwardly with Conewaga street to new Church street; thence with new Church street, east to the limits of the City; thence eastwardly with the limits of the city to Jones' falls; thence south with Jones' falls unto the margin of the basin; thence westwardly with the meanders of the basin unto the east end of Camden street, and thence west with Camden street to the place of beginning.

Wooden buildings prohibited.

Within certain limits.

2. And be it enacted and ordained, That if after the passing of this ordinance any person or persons shall erect and build, or cause to be erected and built, any wooden mansion house, shop, warehouse, carriage house, stable or any other wooden building whatsoever, excepting fire engine houses, upon any lot or parcel of ground within those limits of the city herein above specified, he or they shall forfeit and pay to the corporation one hundred dollars, and the further sum of twenty dollars, for each and every month thereafter, until the same be pulled down and removed. And each and every person who shall or may be employed in the building or

No person to erect any wooden building.

Penalty.

Penalty on the
builder.

Proviso.

erecting of any such wooden mansion house or other wooden building, shall forfeit and pay the sum of one dollar to the corporation, each and every day he may be so employed: Provided nevertheless, that if any person hath before the passing of this ordinance, contracted with any person for the making and erecting of any such building, and hath provided materials or the principal part of the materials for the same, and shall satisfy the mayor thereof, such person may, under the permission of the mayor, in writing, proceed to the making and erecting of such wooden building, any thing in this ordinance to the contrary notwithstanding.

Passed June 11th, 1799.

No. 23.

An ordinance more effectually to diminish the number of dogs in the city of Baltimore.

Preamble.

Whereas the great number of dogs kept in the city of Baltimore has become a public nuisance, and the laws heretofore passed for preventing the evil have been found inadequate to the end proposed.

Tax.

1. Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That a tax of two dollars be levied and collected annually, on every animal of the male dog kind kept within the city of Baltimore; and that a tax of three dollars be levied and collected in like manner, on every animal of the female dog kind kept within the said city.

Constables to
make return.

2. And be it enacted and ordained, That it shall be the duty of the city constables of the respective wards, some time in the month of July, yearly, and every year, to take an account of every animal of

the dog kind in their respective wards, and return an alphabetical list of the owners' names to the register of the city.

3. And be it enacted and ordained, That the owners or harborers of every animal of the dog kind, shall at all times, when thereto required by the constable aforesaid, make due return of every such animal by them owned, or which they suffer to remain about their houses, on penalty of forfeiting and paying four dollars for every refusal or neglect, one half to the informer and the other half for the use of the city.

Owners to report their dogs to constable.

Penalty.

4. And be it enacted and ordained, That all animals of the dog kind kept within the city, shall wear a collar about their necks, with the owners name at length at all times, on penalty of two dollars, to be paid by the owner or harborer of said animal, one half to the informer and the other half for the use of the city; and said animal not having such collar, shall be subject to be killed by any person whomsoever.

Dogs to wear collars.

Penalty.

5. And be it enacted and ordained, That the several city constables at the time of taking the list of dogs as aforesaid, shall demand the aforesaid tax of two dollars for each male, and three dollars for each female animal so returned; and if the said tax is not then paid, or within twenty days thereafter, the said constable is hereby authorized and directed to recover the same, agreeably to the mode prescribed by the act of incorporation; and such constable shall have and receive a commission of twenty-five per centum on all the monies by him received in virtue of this ordinance, in full compensation for taking the list and collecting and paying over the said money to the register.

Constable to demand the tax.

Mode of recovery.

Commission.

6. And be it enacted and ordained, That an ordinance entitled, "An ordinance to diminish the number of dogs in the City of Baltimore," passed on

Former ordinances repealed.

the seventeenth day of July, seventeen hundred and ninety-seven, be and the same is hereby repealed.

Approved June 18th, 1799.

No. 24.

An ordinance to restrain and prevent horse racing and cock fighting within the city and precincts.

Horse racing
prohibited.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That no person or persons whatsoever shall, within the city of Baltimore, or precincts thereof, enter, start or run any horse, mare or gelding for any plate, prize, sum of money or other thing of value, and in case any person or persons shall, after the passing of this ordinance, enter, start or run any horse, mare or gelding within the said city or precincts, for any plate, prize, sum of money, or other thing of value, each and every such person and each and every owner of every such horse, mare or gelding, knowing and consenting to the same, shall severally forfeit and pay to and for the use of the Mayor and City Council of Baltimore, the sum of five hundred dollars, for each and every such offence.

Penalty.

Cock fighting
prohibited.

2. And be it enacted and ordained, That after the passing of this ordinance, no match or main of cocks shall be fought within the said city or precincts; and if any match or main of cocks shall be thereafter fought within the said city or precincts, every person who shall trim, heel, pit or hand any cock so fought, and every owner of any such cock consenting thereto, shall severally forfeit and pay for every such offence the sum of twenty dollars, one half to the informer and the other half for the use of the Mayor and City Council of Baltimore.

Penalty.

Approved June 18th, 1799,

No. 24.

An ordinance to appropriate a sum of money for the purpose therein mentioned.

[Commissioners were appointed to complete the repairs of that part of the road leading from Josias Pennington's mill on the east side of Jones' Falls, damaged by a canal cut across by the late special commissioners, and a sum of money not exceeding 100 dollars was appropriated for that purpose.]

Approved June 18th, 1799.

 No. 25.

An ordinance directing the appropriation of a sum of money to defray the expenses incurred by the Mayor in his attempt to introduce pure, wholesome water into the city.

[The mayor, with the advice and consent of William Patterson and others, the commissioners named in the ordinance to preserve the health of the city, having gone to a considerable expense in his attempt to introduce water into the city, the sum of 1,000 dollars was appropriated to defray the same.]

Approved June 18th, 1799.

 No. 26.

An ordinance appropriating a certain sum of money to repair the pavements of the city.

[A sum of money not exceeding 500 dollars was appropriated for that purpose.]

Approved October 3d, 1799,

No. 27.

An ordinance for the payment of taxes on a lot of ground, appropriated for the use of the engine belonging to the Liberty Fire company.

Taxes paid by
the corporation.

City Commis-
sioners to draw
on the Register.

3. Be it enacted and ordained, by the Mayor and City Council of Baltimore, That all taxes now chargeable or that may become chargeable, upon the lot of ground situate at the intersection of Liberty, Fayette and North streets, conveyed by John Eager Howard to Ephraim Robinson, William Jessop and George Decker, in trust for the Liberty fire company, to erect necessary buildings, for the preservation and safe keeping of their fire engine, be and the same are hereby directed to be paid by the Mayor and City Council—and that the city commissioners be, and they are hereby authorized and empowered to draw on the register of the city, for such sum or sums of money as may be necessary to pay the same.

Approved Oct 3rd, 1799.

 No. 28.

An ordinance to prevent carters and others from removing the sand, dirt, earth and gravel from the streets, lanes and alleys of the city of Baltimore.

Preamble.

Whereas, it is represented to the Mayor and City Council of Baltimore that carters and others are in the daily practice of digging, removing and carrying away the dirt, sand, earth and gravel from and out of the unpaved streets, lanes and alleys of the city of Baltimore; for prevention thereof—

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passing and publishing of this ordinance, no carter or other person whomsoever, except the superintendent of the streets of the City, for public purposes,

shall dig, remove or carry away from or out of any of the unpaved streets, lanes or alleys of the said City, any dirt, earth, sand or gravel, without a special license first had and obtained from the City Commissioners, with the approbation of the Mayor, for that purpose, specifying the time when and place from which the same is to be removed, under the penalty of one dollar for every load of dirt, earth, sand or gravel so removed, for the use of the City.

No dirt to be removed from unpaved streets.

Penalty.

2. And be it enacted and ordained, That from and after the passing and publishing of this ordinance, no person or persons whomsoever shall make, dig or throw up any ditch, drain, trench, gutter, gully or canal, in, through or across any of the streets, lanes or alleys of the said City, so as to obstruct the passage thereof without a special license and permission for that purpose first had and obtained from the City Commissioners, specifying the time when and place where the same is to be done, under the penalty of ten dollars, and the like sum weekly until the same be removed, or permission obtained as aforesaid, for the use of the City.

No ditch, &c. to be dug.

Penalty.

Approved March 6th, 1800.

No. 29.

An ordinance to erect footways on each side of the middle bridge on Jones' Falls.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That Baltzer Schæffer, Thos. Hollingsworth, Adam Fonerden and Michael Diffenderffer be, and they are hereby, authorized and empowered to contract with some suitable person to undertake the building of a substantial footway on each side of the middle bridge on Jones' Falls, of sound and firm materials, and the workmanship to be done and executed in a faithful

Persons authorized to contract.

Contractor to
give bond.

manner, so as to preserve the timbers as much as possible from rotting or decaying; and the said contract shall be in writing, expressing the terms of payment, and defining fully the work to be performed; and the said person, before he commences the work, shall give bond, with security to be approved by the Mayor, to the Mayor and City Council of Baltimore, in the sum of one thousand dollars, for the faithful execution of the said contract, which said bond shall be filed with the Register of the City.

Appropriation.

2. And be it enacted and ordained, That the said Baltzer Schæffer, Thomas Hollingsworth, Adam Fonerden and Michael Diffenderffer be authorized to draw on the Register of the City for a sum not exceeding two hundred and fifty dollars for the finishing and completing the said footways.

Approved March 6th, 1800.

No. 30.

A supplement to the ordinance entitled "An ordinance to erect footways on the middle bridge on Jones' Falls."

Appropriation.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a further sum of money, not exceeding three hundred dollars, be, and the same is hereby, appropriated to the erecting

How drawn for.

footways to the centre bridge over Jones' Falls, and that the same be drawn for and applied in the same manner as the first appropriation is directed to be by the ordinance to which this is a supplement.

Approved Feb. 20, 1801.

No. 31.

An ordinance directing the appropriation of certain sums of public money for the use of the City.

[The following sums of money were appropriated by this ordinance, to wit: For deepening and preserving the harbor of Baltimore, to be paid out of the money arising from the duty on tonnage of vessels and auctioneers of the City, a sum not exceeding 3,000 dollars; for cleaning the streets and removing nuisances a sum of money not exceeding 2,000 dollars; for the health department a sum not exceeding 2,000 dollars; for extra expenses, a sum not exceeding 200 dollars; for repairing the streets, lanes and alleys a sum not exceeding 1,000 dollars; for paving the streets, lanes and alleys a sum not exceeding 3,000 dollars; out of this appropriation the City Commissioners are directed to apply the sum of 500 dollars for the paving the inside of the lower Centre market, and the further sum of 100 dollars for the filling up the Fish market space; for the lighting and watching of the City a sum not exceeding 11,000 dollars, and the sum of 300 dollars to the commissioners of the watch for their services in superintending the same.]

Approved March 6th, 1800.

 No. 32.

An ordinance to impose a tax on the real and personal property within the limits of the city of Baltimore, and to provide for the collection of the same.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a tax of seven shillings and six pence current money of Maryland shall be, and is hereby, laid and imposed upon every hundred pounds' worth of property within the city of Baltimore, and in proportion for every greater or Tax imposed.

less sum as the said property shall have been valued in virtue of an Act of Assembly entitled "An Act for the valuation of real and personal property within this State," passed at November session, in the year seventeen hundred and ninety-seven, and specified in the return or returns of the assessment made by the assessors, as well to the commissioners of the county as to the commissioners of the city of Baltimore, in virtue of said Act of Assembly; and the said tax shall be paid, collected and received in the manner hereinafter directed.

2. And be it enacted and ordained, That there be
 Collector to be appointed. a collector appointed to collect the tax imposed as aforesaid, who, before he enters upon the execution of his office, shall take and subscribe the oath or affirmation directed by the act of incorporation, and
 To give bond. give bond to the Mayor and City Council in the penal sum of ten thousand dollars, with security to be approved by the Mayor, for the well and faithful execution of the trust reposed in him by this ordinance, and that he will pay monthly to the Register of the City such sums of money as he shall receive in the course of collection, and that he will complete the said collection on or before the first day of December next.

3. And be it enacted and ordained, That the said
 To deliver accounts weekly. collector shall make out and deliver to each taxable, or leave at their last place of abode, or if non-resident at the property, an account in writing of his said assessment, containing the items in words and at length and figures, and the amount thereof, which said account shall be so left or delivered on or before the first day of August next.

4. And be it enacted and ordained, That if the
 Tax to be paid by the first of September next said tax is not paid by the first day of September next, that, then and in such case the said collector is hereby authorized and directed to proceed to recover the same agreeably to the mode prescribed by the act of incorporation; and he shall have and re-

ceive a commission of eight per centum for collect- Compensation.
ing the same, and a commission of six per centum
for collecting all other taxes of the corporation im-
posed by ordinance.

5. And be it enacted and ordained, That the Mayor of the City be authorized to make transfers Mayor to make transfers, &c.
on the books of assessment of the said City, and to allow for insolvencies as the commissioners of the tax for Baltimore town are authorized to do by the said act of the General Assembly of Maryland, entitled "An act for the valuation of real and personal property within this State," passed at November session, seventeen hundred and ninety-seven.

Approved March 6th, 1800.

No. 33.

An ordinance for repairing Charles street, on the east side of the Roman Catholic burial ground, and for other purposes therein mentioned.

[The City Commissioners were directed to repair Charles street, on the east side of the Roman Catholic burial ground, and the sum of fifty dollars was appropriated for that purpose; they were also directed to cause stepping-stones to be fixed across Liberty street, and the sum of 30 dollars was appropriated for that purpose.]

Approved March 6th, 1800.

No. 34.

An ordinance for the aid and encouragement of fire companies in the city of Baltimore.

[The sum of 75 dollars was given for the support of each fire company in the City, provided such company should consist of 30 members at least, and have an engine in good order.]

Approved March 6th, 1800.

No. 35.

An ordinance regulating the length of time country wagons and carts may remain placed in the streets, lanes or alleys of the city of Baltimore.

Preamble.

Whereas, great inconvenience arises from drivers of country wagons and carts leaving their wagons, carts and horses in the streets of the City for an unreasonable length of time,

Country wagons
not to remain in
the street twen-
ty-four hours.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the first day of May next, if any owner or driver of any country wagon or cart shall place any such wagon, cart or horses on any street, lane or alley of this City, and suffer the same therein to remain for a longer time than twenty-four hours, such owner or driver shall forfeit and pay for every such offence the sum of one dollar, and for every twelve hours the said wagon, cart or horses shall continue in any and every of the said streets, lanes and alleys thereafter, one dollar for the use of the Mayor and City Council of Baltimore.

Approved March 6th, 1800.

No. 36.

An ordinance for the more equal assessing and levying the paving tax on the streets, lanes and alleys in the city of Baltimore.

Preamble.

Whereas, it is represented by the City Commissioners that the present paving tax is unequal in its operation, as the streets, lanes and alleys are of different width, and that an average tax on the square foot would be more just; therefore,

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passing of this ordinance, the City Commissioners

are hereby authorized, empowered and directed to assess and levy nine cents on each square foot, (except the part allotted by ordinance for footways,) in all such streets, lanes and alleys as they may hereafter direct to be paved; which said tax shall be levied and collected from the owners of lots on each side of such street, lane or alley, dividing the said tax equally between the said owners in proportion to the number of feet in front respectively held by them.

Nine cents for each square foot.

How collected.

2. And be it enacted and ordained, That the City Commissioners are hereby directed to issue their warrant, under their hands, to the City Collector for the collection of the said tax, who is hereby authorized and empowered to receive and pay over the same, in like manner as he is now by ordinance directed, which shall be applied by said Commissioners to the paving the streets, lanes and alleys aforesaid.

Commissioners to issue warrants, &c.

Approved March 6th, 1800.

No. 37.

A supplement to the ordinance entitled "An ordinance to prevent the erection of wooden buildings within certain limits of the city of Baltimore."

Whereas, doubts have arisen on the construction of the second section of the ordinance to which this is a supplement; for remedy whereof,

Preamble.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the passing and publishing this ordinance, no person or persons whoinsoever shall remove any wooden building whatsoever upon any lot or parcel of land within the limits prescribed by the ordinance to which this is a supplement, or from any part of a lot within the said limits to any other part thereof, without the approbation of the Mayor first had and obtained,

Wooden buildings may be removed with Mayor's approbation.

under the penalty of fifty dollars, for the use of the City, and ten dollars for each and every month thereafter until the same be removed out of the said limits, pulled down or replaced upon the stand from which such building was removed.

Approved March 6th, 1800.

No. 38.

An ordinance fixing the salary of the Superintendent for the cleaning of the streets, lanes and alleys in the city of Baltimore, and for other purposes therein mentioned.

[400 dollars was allowed by this ordinance to the Superintendent of the Streets as a compensation for his services, and the half of all penalties recovered upon his information, and the sum of 200 dollars to the clerk of the Centre market for his services for the year 1800.]

Approved March 6th, 1800.

No. 39.

An ordinance for the improvement of Market street, in the eighth ward, and for other purposes therein mentioned.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a sum not exceeding three hundred dollars be, and is hereby, appropriated for the purpose of filling up that part of Market street in the eighth ward which is to the north of the Market space, so as to make a convenient descent for the passage of the rain and other water from the said street down Aliceanna street to the eastward, and otherwise to render that part of the said Market street and Aliceanna street as dry and healthy as conveniently may be, under the direction of the City Commissioners.

Appropriation.

2. And be it enacted and ordained, That the said City Commissioners be, and they are hereby, required and directed to apply no part of the public money appropriated for the paving of the streets, lanes and alleys of the City to the filling up the said Aliceanna street, or for the purpose of paving the same.

No part of the public money to be applied to the filling up Aliceanna street.

Approved March 15th, 1800.

No. 40.

An ordinance to establish and regulate an inspection of Indian corn and rye flour, brought to the city of Baltimore for sale.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That all indian corn and rye flour brought into the city of Baltimore, in barrels or hogsheads, for sale, from and after the first day of May next, shall by the manufacturers thereof be made merchantable and of due fineness, and shall be put in the barrels or hogsheads containing the same, without any false packing or mixture of coarser flour, meal or other substance; the quality of the said flour to be ascertained by the flour inspectors of the city of Baltimore.

Indian corn to be made merchantable.

Quality to be ascertained.

2. And be it enacted and ordained, That the several flour inspectors of the city, shall be, and they are hereby authorized and required to inspect all indian corn and rye flour brought in barrels or hogsheads to the said city for sale, except as it shall relate to the cask called a hogshead, agreeably to the provisions of, and for the compensation provided by, an ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned, and the several supplements thereto, except where it is otherwise provided by this ordinance.

To be inspected.

3. And be it enacted and ordained, That the sev-

Not to be ex-
ported unless
branded.

eral flour inspectors of the said city, shall brand every such barrel or hogshead containing the said indian corn or rye flour, by him inspected, on the quarter, with the words "Baltimore" "corn" or "rye," as the case may be, with a public brand mark to be by him provided for that purpose, with letters of one inch in length at least, and shall also brand and mark in words at full length, "first" or "second," agreeably to the quality, which on inspection he shall determine the said flour to be of; and any indian corn flour not passing inspection for the first of the said qualities; and any rye flour not passing inspection for either of the said qualities, shall not be exported under the penalty of three dollars for every barrel or hogshead thereof so exported, to be paid by the person or persons exporting the same, for the use of the city.

Penalty.

4. And be it enacted and ordained, That if any indian corn flour which shall be brought in barrels or hogsheads to the city of Baltimore, for sale, shall not upon inspection appear to be well and thoroughly kiln-dried, the same shall not pass inspection, nor be exported, under the penalty of three dollars for every barrel or hogshead of indian corn flour so exported, contrary to the provisions of this ordinance, to be paid by the person exporting the same, for the use of the city.

Not to be ex-
ported unless
kiln dried.
Penalty.

5. And be it enacted and ordained, That the several penalties of the ordinance, entitled an ordinance to prevent the exportation of flour not merchantable, and the several supplements thereto, shall be deemed and held to extend to indian corn and rye flour brought to the said city of Baltimore in barrels or hogsheads, (except as is before excepted) in the same manner as is provided by the said ordinances, respecting wheat flour brought in casks to the city of Baltimore for sale, except where it is otherwise provided by this ordinance.

Penalties of
former ordi-
nances extend-
ed.

Approved March 15th, 1800.

No. 41.

An ordinance for the building of a powder magazine.

[Commissioners with the approbation of the Mayor were authorized and empowered to purchase in fee simple, a suitable piece of ground, and to erect a powder magazine thereon, and a sum of money not exceeding 2000 dollars was appropriated for that purpose.]

Approved March 15th, 1800.

No. 42.

An ordinance respecting the night watch in the city of Baltimore.

[The Commissioners in conjunction with the Mayor were authorized to contract for lighting and watching the city for the ensuing year.]

Approved March 15th, 1800.

No. 43.

An ordinance to appropriate a sum of money for certain purposes therein mentioned.

[The sum of 500 dollars and 81 cents was given to defray the extraordinary expenses incurred by the city commissioners in filling up Bowley's wharf and Wilk street bridge.]

Approved March 15th, 1800.

No. 44.

An ordinance for filling up and paving part of the Market Space of the Centre Market.

Preamble.

Whereas, the owners of the property on each side of the unpaved part of the market space of the centre market are desirous to pave the street in front of their property, and are prevented therefrom by the public holding a great part of the property of said space,

Commissioners
to pave, &c.

1. Be it, therefore, enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, authorized and directed to pave one-half of the street on each side of the said Market space, and Pratt street at the head of the dock; and that they fill up with gravel the middle of the said space of the width of the Market house, including the footways thereof.

To borrow money.

2. And be it enacted and ordained, That the City Commissioners aforesaid, with the approbation of the Mayor, be, and they are hereby, authorized and empowered to negotiate and borrow, on loan, a sum of money not exceeding two thousand dollars, for the purpose aforesaid, which money shall be paid without interest to the person or persons lending the same within two years after the said work be completed.

To be paid in
two years.

Approved April 7th, 1800.

 No. 45.

An ordinance appropriating a further sum of money to defray the expense of filling up and paving a part of Pratt street and the public wharf thereon situate, and for other purposes therein mentioned.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a further sum, not

exceeding two hundred dollars, be appropriated for ^{Appropriation.} the purpose of defraying the expense of filling up and paving that part of Pratt street between Charles street and the dock called Ellicott's dock, and repairing the public wharf there situated.

2. And be it enacted and ordained, that a sum not exceeding one hundred dollars be appropriated ^{Further appropriation.} for the purpose of paving the public ground at the south end of Calvert street there situate.

Approved April 7th, 1800.

No. 46.

An ordinance for the appropriation of the several sums of money hereafter mentioned.

[The following sums of money were appropriated by this ordinance, to wit: To Samuel Vincent for his services as clerk to the City Commissioners, including office rent, the sum of 306 dollars and 67 cents; to Wm. Trimble's balance of paying tax for last year, the sum of 492 dollars and 46 cents: to Thomas Dobbin for printing, the sum of 23 dollars; to Yundt & Brown for printing, the sum of 40 dollars and 75 cents, and to Alexander Martin for printing, the sum of 16 dollars and 50 cents, for all of which sums the Mayor was authorized to draw on the Register.]

Approved July 15th, 1800.

No. 47.

An ordinance for the leveling of Eutaw street.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commis-

City commis-
sioners to level
Eutaw street.

To render it
passable for
carriages.

sioners shall, and they are hereby, directed to level such part of Eutaw street as is situated between German and Fayette streets, in such manner and form as that all the water which may flow thereon may be conveyed to Ridgely's cove; and the City Commissioners are hereby further authorized and directed, immediately after the leveling of Eutaw street and before the paving of any part thereof, to reduce the ground westward of Eutaw street in the direction of Baltimore street and Fayette street, so that carriages of burthen may with the greatest ease and convenience pass from Eutaw street into the country in the direction of Baltimore and Fayette streets, and upon such a level as will best correspond with the level which, in their opinion, will be hereafter established of the streets, lanes and alleys of the circumjacent ground.

Appropriation.

2. And be it enacted and ordained, That towards defraying the expenses of carrying into effect the provisions of this ordinance, there be appropriated the sum of three hundred dollars; and the City Commissioners are hereby authorized to draw upon the Register of the City for the same.

Approved July 15th, 1800.

No. 48.

An ordinance fixing the salary of the Mayor for the ensuing two years.

Compensation.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor be allowed for his services for the ensuing two years for which he shall be appointed, the following annual compensation, viz: For the first twelve months, including office rent, the sum of two thousand dollars; for the ensuing twelve months, including office rent, the sum of two thousand dollars.

Approved July 15th, 1800.

No. 49.

An ordinance for the appropriation of a sum of money for the purpose of leveling, repairing and paving the footways of the Hanover market house.

[A sum of money not exceeding 400 dollars was appropriated for the leveling, repairing and paving the footways of the Hanover market house.]

Approved July 15th, 1800.

No. 50.

An ordinance to mitigate the distress occasioned by the late prevailing fever.

[Persons were appointed in each ward to inspect into the condition of the poor therein, and to grant recommendations to the Board of Health to such as were in real distress for their relief at the public expense, and a sum of money not exceeding 3,000 dollars was appropriated for that purpose.]

Approved November 18th, 1800.

ORDINANCES.

1801--1802.

No. 1.

An ordinance for the relief of Peter Zacharie.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the sum of one hundred and twenty dollars be allowed to Peter Zacharie for the expense he sustained in the execution of the ordinance regulating the measuring of wheat, corn, salt and coal, which on trial was found inadequate for the purpose intended; and that the Mayor be empowered to draw on the Register of the City for the sum aforesaid in favor of said Peter Zacharie. Sum allowed.

Approved February 19th, 1801.

No. 2.

An ordinance for sinking a well and erecting a pump in the seventh ward.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That James Long and Michael Diffenderffer be, and they are hereby, authorized and empowered to sink a well and erect a pump therein at such place as they may deem most convenient, on the south side of Baltimore street, between High street and Front street; provided, A well to be sunk. Proviso.

that the same be done at private expense, and when done shall be deemed and taken to be a public pump, and in all respects subject to the ordinances of the Mayor and City Council of Baltimore regulating such pumps.

Approved February 20th, 1801.

No. 3.

An ordinance for licensing and regulating auctions within the city of Baltimore, and precincts thereof.

No person to exercise the trade of an auctioneer without license

Penalty.

Proviso.

1. Be it enacted and ordained, by the Mayor and City Council of Baltimore, That from and after the passing of this ordinance, no person or persons shall exercise the trade or business of an auctioneer, by the selling of any property, real or personal, by auction, or by any other mode of sale whereby the best or highest bidder is deemed the purchaser, unless he shall have previously obtained from the Mayor a license, under the seal of the corporation, and given bond with security as hereinafter directed, on pain of forfeiting for every such sale at auction, the sum of five hundred dollars current money, to be recovered for the use of the corporation: Provided that nothing in this ordinance contained, shall extend to any sale by auction of property, real or personal, made pursuant to, or in execution of any order, decree, sentence or judgment of any court of the United States, or of either of them; or made in virtue of any distress for rent, or other cause for which a distress is allowed by law, or made by or on behalf of executors or administrators as such.

The mayor on application may grant license.

2. And be it enacted and ordained, That from and after the passing of this ordinance, the Mayor may, and upon the application of any citizen or citizens thereof, shall grant a license for a term not exceeding one year at any one time, to exercise the

trade or business of an auctioneer; and such license upon like application may and shall from time to time renew: Provided that no such license shall be granted or renewed, until the person or persons applying for the same shall have given bond to the Mayor and City Council of Baltimore, with sureties to the satisfaction of the Mayor, in the penal sum of thirty thousand dollars current money, with condition that he or they shall duly pay and satisfy all just claims that may be against him or them, as auctioneer or auctioneers, and will faithfully execute the office and employment of an auctioneer, and in all things well and faithfully perform the several duties required by this ordinance.

Provided bond
be given.

Condition.

3. And be it enacted and ordained That no auctioneer or auctioneers, licensed as aforesaid, shall demand or receive from any person whatever, directly or indirectly, for his or their services, a commission exceeding the rate of two dollars for every hundred dollars of the purchase money arising by the sale at auction of any property, real or personal, exclusive of all duties.

Commission.

4. And be it enacted and ordained That every auctioneer licensed under this ordinance, shall, out of the monies arising from each and every sale, return and pay to the register for the use of the corporation, at the rate of fifty cents for every hundred dollars, on the amount of all the sales made by him, or them, and shall once in every three months on oath or affirmation, account for, and pay the same to the register. And to the end that such accounts may be accurately kept and rendered, it is hereby made the duty of every auctioneer to enter from day to day, as often as any sale shall be made, in a book to be kept for that purpose, the amount of the respective sales made by him or them, which book shall upon application be submitted for examination to the Mayor, on pain of forfeiting for every refusal to comply with such request, the sum of five thousand dollars.

Auctioneers to
make quarterly
returns.

To keep regular
accounts.

To be submitted
to the mayor.

Tax on license. 5. And be it enacted and ordained, That every person obtaining license as aforesaid, shall for each and every such license pay to the Register for the use of the corporation the sum of seven hundred and fifty dollars.

6. And be it enacted and ordained, That any person desirous of pursuing the business of auctioneer, for the sole purpose of vending horses or carriages, may apply to the Mayor for a special license for that purpose, and the Mayor shall thereupon grant such special license, upon the terms and conditions aforesaid; provided, that the penal sum of the bond given by such person shall be one thousand dollars, and the person obtaining such license shall pay therefor fifty dollars; and that such auctioneer shall be entitled to receive for his services a commission not exceeding the rate of three dollars for every hundred dollars of the purchase money arising from such sale; and every such auctioneer shall, and he is hereby, directed to keep such a registry of all horses that shall or may be sold by him, specifying the description of every such horse, the sum of money for which he may have been sold, and also the name and residence of the seller, and of the purchaser, which registry shall at the end of each and every year, be by him deposited for safe keeping with the register of the city, with the oath or affirmation thereto annexed of such auctioneer of the truth thereof.

Auctioneers to keep registry.

To be deposited annually with the register.

7. And be it enacted and ordained, That in case any security or securities, on bond given for the faithful performance of the duty of any auctioneer or auctioneers licensed in virtue of this ordinance, shall die, remove from the county of Baltimore, or become insolvent, the Mayor shall, and he is hereby, authorized and empowered to demand other security or securities for the same, and in case of neglect or refusal, the license so granted shall from thenceforth become, and is hereby declared to be, null and void to all intents and purposes, as if the same had never been granted.

In case of death &c. of securities the mayor may demand other security.

In case of refusal, &c. license declared void.

8. And be it enacted and ordained, That the ordinance entitled "an ordinance for licensing and regulating auctions within the city of Baltimore and precincts thereof," passed on the twelfth day of December, seventeen hundred and ninety-eight, be, and the same is hereby repealed.

Former ordinance repealed.

Approved February 20, 1801.

No. 4.

An ordinance to prevent carriages of pleasure from taking their stands or traversing the streets of the city of Baltimore on the Sabbath day, waiting or seeking for hire.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the publication of this ordinance, no owner or driver of any stage, hackney coach, sleigh or other carriage of pleasure for hire or pay within this city, shall take their stands, or move to and fro in any of the streets, lanes or alleys of the city, waiting or seeking for hire or employ on the Sabbath day, under the penalty of five dollars, the one half for the use of the city, and the other half to the informer; and that it be the duty of the constables of the city to notice any violation of this ordinance.

No owner of any stage to take his stand on the street on a Sunday.

Penalty.

2. And be it enacted and ordained That the ordinance, entitled "An ordinance to prevent carriages of pleasure from taking their stands in the streets on Sundays waiting for hire," passed the 15th day of May, 1798, be, and is hereby repealed.

Former ordinance repealed.

Approved February 21st, 1801.

No. 5.

An ordinance to remove a nuisance therein mentioned.

Preamble. Whereas a number of citizens have by their petition set forth, That the marsh and pond of stagnant water at the east end of Fell's Point is become so great a nuisance as again to endanger the health of the city, and that as George street, Wolf street and Lancaster street, pass through the said pond, they pray that the said streets may be filled up at the expense of the city.

Appropriation. 1. Be it therefore enacted and ordained by the Mayor and City Council of Baltimore, That the sum of eight hundred dollars be appropriated for the purpose of filling up the said streets to the proper height for paving, which height shall be ascertained by the City Commissioners.

Mayor to draw on the register. 2. And be it enacted and ordained, That the Mayor be, and he is hereby authorized, to draw on the Register of the city for the sum of eight hundred dollars, which he shall pay over from time to time as he shall think prudent, to John Lee, or any other person with whom he may contract and agree for the filling up the said streets to such height as shall be deemed sufficient by the City Commissioners, and of which contractor he shall take a bond in the sum of sixteen hundred dollars, with sufficient security to be approved of by the Mayor, to the Mayor and City Council of Baltimore, conditioned for the due performance of the said contract, and finishing the same on or before the last day of May next, and also conditioned for his, the said contractor's paving, or causing to be well and sufficiently paved, the said streets, agreeably to the order and directions of the City Commissioners.

to contract.

Contractor to give bond.

Contractor's allowance. 3. And be it enacted and ordained, That there be allowed and paid to the said contractor by the persons holding property on the said streets, nine cents for

each square foot of pavement, of superficial measure, done and made in the said streets, to be collected ^{How to be collected.} in like manner, as other paving taxes collected within the city of Baltimore by the said contractor.

Approved February 24th, 1801.

No. 6.

An ordinance authorizing the erection of a lamp in Public alley.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the Mayor be, and he is hereby directed to cause a lamp to be put up ^{A lamp to be erected.} in that part of the said alley to the south of Water street which to him shall seem proper; and that the expense of putting up and maintaining the said lamp, be defrayed from the funds appropriated for ^{Corporation to defray the expense.} watching and lighting the city; and the said lamp shall be subject to the same regulations as other public lamps in the said city.

Approved February 26th, 1801.

No. 7.

An ordinance respecting the building and repairing bridges in the first ward.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a new bridge ^{A new bridge to be erected.} with stone butments eighteen feet long and the average thickness of two feet, with good sleepers, covered with plank not less than three inches thick, shall be built in Lee street over the water course in Howard street, and that a sum of money not exceeding one hundred and forty dollars be appropriated ^{Appropriation.} towards erecting the said bridge and filling up

the ditch in Howard street to within five feet of the sleepers of said bridge.

2. And be it enacted and ordained, That a further sum of twenty dollars be appropriated for the repair of the bridge in Camden street, over the said water course in Howard street—and for the repair of the bridge in Montgomery street, over the said water course.

Bridge to be repaired.

3. And be it enacted and ordained That the Mayor may draw upon the Register of the city for the sums of money aforesaid, to be paid to George Warner, or such other person as the Mayor in his discretion may appoint, to be by him applied as directed by this ordinance.

Mayor to draw on register.

Approved February 26th, 1801.

No. 8.

An ordinance for the safe keeping of gunpowder within the city of Baltimore, and the precincts thereof.

Whereas, it appears that the inhabitants of the city of Baltimore are often liable to danger from the large quantities of gunpowder stored within the said city; therefore,

Preamble.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That no person or persons whomsoever, shall keep or have in his, her or their possession, in any house, building or cellar within the limits of the said city or precincts thereof, any quantity of gunpowder exceeding two quarter casks, (which shall be well secured in four tin canisters, each of which to contain not more than fourteen pounds weight) except in the public magazine, used for the reception of the same, under the penalty of twenty dollars for each and every cask,

No powder to be kept in the city or precincts.

Over the quantity of two quarter casks.

Except in the new powder magazine.

Penalty.

one half to the informer and the other half for the use of the city.

2. And be it enacted and ordained, That if any gunpowder, so deposited as aforesaid in the magazine aforesaid, be intended for exportation, it shall not be delivered on board of the ship or vessel intended to export the same (over and above the quantity of two quarter casks as aforesaid,) whilst the said ship or vessel remains at any wharf within the city aforesaid or precincts thereof, or within two hundred yards of the same, but shall be conveyed from the said magazine well covered up and secured with a sail, canvas or cloth over the powder; nor shall it be lawful for any boat or other vessel, used as aforesaid in the carriage and embarkation of gunpowder aforesaid, on and after the first day of May next, to lay at any wharf within the said city or precincts thereof, or within one hundred yards thereof (except at the wharf erected at the public magazine aforesaid) with the said powder on board, under the penalty of twenty dollars for each and every cask, for either and every of the said offences, one half to the informer and the other half for the use of the city.

Powder intended for exportation not to be put on board while the vessel lies at any wharf.

To be conveyed from the magazine, well secured, &c.

No boat to lie at the wharf whilst delivering powder.

Except the wharf at the magazine.

Penalty.

3. And be it enacted and ordained, That all gunpowder brought to the said city for sale or deposit, over and above two quarter casks as aforesaid if brought by land, shall be deposited in the public magazine in twelve hours thereafter, and if brought in any ship or other vessel, in forty-eight hours after breaking bulk; and that no ship or other vessel (ships of war only excepted) bringing or importing any gunpowder into the port or harbor of Baltimore, (over and above the quantity actually necessary for her own consumption) shall approach, lay, anchor or moor nearer to any part of the said city than two hundred yards, or when so moored, shall not discharge, land or deliver the same, on and after the first day of May next, (except as before excepted) at any other place within the said city or precincts

All powder over two quarter casks brought to the city to be deposited in the magazine.

Vessels bringing powder over a certain quantity not to approach nearer the city than 200 yards.

Not to discharge any powder at any place but at the wharf at the magazine.

Penalty.

thereof, than at the wharf at the magazine aforesaid, under the penalty of twenty dollars for each and every cask so discharged, landed or delivered as aforesaid, one half to the informer and the other half for the use of the city.

4. And be it enacted and ordained, That no person or persons shall carry or convey in any boat, wagon, dray or other carriage, or in any other manner whatever, any quantity of gunpowder in or through the city or precincts of Baltimore until the same shall be first secured in a good bag or bags, or be covered with a sheet, sail or other cloth, under and around it so as effectually to prevent the same from scattering or sifting out, under the penalty of ten dollars for every cask or barrel, one half to the informer and the other half for the use of the city.

Mayor or justice
of the peace
may issue search
warrants.

5. And be it enacted and ordained, That the Mayor, or any Justice of the Peace for the county of Baltimore, is hereby authorized, as often as he shall be informed upon oath of probable cause to suspect any person or persons whomsoever, of concealing or keeping within the said city or precincts thereof, any quantity of gunpowder, over and above two quarter casks as aforesaid, to issue a search warrant to examine into the truth of such allegation or suspicion, and search any place whatever therein.

Superintendent
to be appointed.
Duty.

6. And be it enacted and ordained, That a superintendent or keeper of such magazine be appointed, whose duty it shall be to attend the said magazine every day (Sundays excepted) from the hours of ten in the morning until four o'clock in the afternoon, and receive all gunpowder delivered to be stored in the said magazine, and give a receipt for the same, mentioning the marks thereof.

Storage.

7. And be it enacted and ordained, That the said superintendent or keeper of the said magazine shall receive the following storage for all gunpowder de-

livered at the said magazine, to wit: for every barrel twelve cents per month, for every half barrel ten cents per month, and for every quarter cask eight cents per month.

8. And be it enacted and ordained, That all gunpowder manufactured within the state of Maryland remaining the property of the manufacturer, and stored within the said magazine, shall only pay half the storage in the proportions above mentioned.

Gunpowder manufactured in this state to pay half storage

9. And be it enacted and ordained, That it shall be the duty of the superintendent, hereafter to be appointed, to collect the storage on all gunpowder stored in the said magazine; and in case the said powder so stored as aforesaid shall remain in the said magazine for twelve months and upwards on which the said storage shall not have been paid on demand made, the Mayor may, after giving public notice for that purpose, sell the same or such parts thereof at public sale as in his judgment may be sufficient to discharge the amount thereof.

Superintendent to collect storage.

Powder may be sold to pay storage.

10. And be it enacted and ordained, That the said superintendent shall enter in a book to be provided for that purpose, the quantity of all gunpowder stored in the said magazine, and by whom stored, and shall on receiving the same, credit the person storing the said powder with the quantity thereof, and when delivered shall charge the same, and so in like manner for all transfers; and shall once in every three months make returns to the Mayor, on oath, of all powder stored in the said magazine, and of all monies received by him on account of storage, and pay the same to the Register of the said City; and it shall be the duty of the said superintendent, once in every month at least, to cause all the powder in the magazine aforesaid to be turned upside down.

Superintendent to keep a book.

To make regular entries and transfers.

To account monthly.

To turn powder monthly.

11. And be it enacted and ordained, That the said superintendent or keeper shall be answerable

Superintendent accountable to owners.

and accountable to the owners of all gunpowder so stored for the same, unless injured or destroyed from any providential or unavoidable accident.

To give bond. 12. And be it enacted and ordained, That the said superintendent or keeper of the said magazine shall, before he enters upon the duties of his office, give bond with sufficient security, to be approved of by the Mayor, to the Mayor and City Council of Baltimore, in the sum of two thousand dollars, for the faithful discharge of all and every duty directed and required by this ordinance, and shall take the several oaths or affirmations prescribed by law to be taken and subscribed.

Compensation. 12. And be it enacted and ordained, That the said superintendent shall have and receive for the first year the sum of four hundred dollars as a compensation for his services.

Not to sell spirituous liquors. 14. And be it enacted and ordained, That upon the said superintendent's taking out any license for the sale of any wine or spirituous liquor, or any tavern license, or license for any kind of entertainment or amusement, or shall sell or permit to be sold any cider, beer, perry, mead, or other drink at the said lot of ground purchased for the said powder magazine, he shall be, and he is hereby, declared to be removed from his office.

Penalty.

Wharf to be built. 15. And be it enacted and ordained, That the commissioners heretofore appointed by an ordinance entitled "An ordinance for the building of a powder magazine," be, and they are hereby, authorized and empowered, in conjunction with the Mayor, to build and erect a wharf at or near the said powder magazine, of such size and dimensions as shall, in their opinion, be sufficient for the purposes of receiving and delivering gunpowder at and from the said magazine; and also to build and erect a brick building on the lot of ground whereon the said magazine is erected, for the reception of the super-

House for superintendent to be erected.

intendent aforesaid, of such size and dimensions as shall in their judgment be sufficient for that purpose; and shall also erect a good and substantial board fence around the said magazine; and the said commissioners are hereby authorized and empowered to draw on the Register of the City for a sum not exceeding twelve hundred dollars to defray the expenses thereof. Appropriation.

Approved February 27th, 1801.

No. 9.

An ordinance to prohibit the firing, shooting or discharging any gun, pistol or fire-arms within the city of Baltimore.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the publication of this ordinance if any person or persons shall wilfully and needlessly, in any case, fire, shoot or discharge any gun, pistol or fire-arms within the City, every such person for every such offence shall forfeit and pay five dollars, one half to the informer and the other half for the use of the corporation. No gun, &c. to be discharged in the city. Penalty.

Approved February 27th, 1801.

No. 10.

An ordinance appropriating a further sum of money for finishing and completing the footways on the upper bridge over Jones' Falls.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be appropriated to the finishing and completing the footways of the upper bridge on Jones' Falls the sum of one hundred and fifty dollars, and that Wm. C. Gold- Foot-ways to be erected. Appropriation.

smith and George Lightner be, and they are hereby, authorized to draw on the Register of the City for the same, for the purposes aforesaid.

Approved March 5th, 1801.

No. 11.

An ordinance to impose a tax on the real and personal property within the city of Baltimore, for the year 1801.

Tax.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a tax of fifteen shillings be imposed and levied on every hundred pounds worth of property within the city of Baltimore, returned and mentioned in the lists of assessment by the several assessors heretofore taken and returned into the Register's office, pursuant to the former ordinances of this corporation, and also upon such other property as shall be taken and included in lists thereof, pursuant to the further provisions of this ordinance.

Assessors to be appointed.

Districts.

2. And be it enacted and ordained, That there be three assessors appointed to assess in manner as is hereinafter provided, all the property within the said city subject to assessment by the laws of this state within the following districts, to wit: From Calvert street to the westward of the city, inclusive, for the first district; from Calvert street eastward to Jones' Falls, inclusive, for the second district; and from Jones' Falls eastward to Harris's Creek, inclusive, as the third district; which is not included, valued or assessed in any of the said lists, which said additional assessment shall be done and executed in manner as hath been heretofore directed by the ordinances of this corporation. And the said

Compensation.

assessors shall have and receive as a compensation a sum not exceeding, for the first district, fifty dollars, for the second district forty dollars, and for the

third district sixty dollars, to be paid by the Register of the city for their services for performing the duties required by this ordinance.

3. And be it enacted and ordained That the collection of the said tax, the manner of making transfers of the property included in any of the said lists of assessment, and all and every matter or thing relating to the said tax, shall be done and executed in like manner as hath been heretofore provided by an ordinance, entitled "An ordinance to impose a tax on the real and personal property within the limits of the city of Baltimore, and to provide for the collection of the same," passed the sixth day of March, eighteen hundred, except where it is otherwise provided by the provisions of this ordinance.

Collection and transfers to be made as heretofore directed by ordinance.

Approved March 5th, 1801.

No. 12.

An ordinance to continue the several ordinances therein mentioned.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the ordinance entitled "An ordinance empowering the Mayor of the city of Baltimore, to grant licenses for the purposes therein mentioned," passed the sixth day of May, seventeen hundred and ninety-seven, be and is hereby continued until the first day of March, eighteen hundred and four.

An ordinance empowering the mayor to grant licenses.

2. And be it enacted and ordained, That the ordinance entitled "An ordinance directing the manner of collecting fines not exceeding one dollar," accruing in virtue of ordinances of the corporation of the city of Baltimore, passed on the sixth day of May, seventeen hundred and ninety-seven, be and the same is hereby revived and continued in force until the first day of March, eighteen hundred and four.

An ordinance directing the manner of collecting fines.

Part of the ordinance to appoint city commissioners.

3. And be it enacted and ordained, That such parts of the ordinance entitled "An ordinance to appoint City Commissioners," passed the tenth day of April, seventeen hundred and ninety-seven, which are not repealed by an ordinance entitled "An ordinance for the appointment of a superintendent for the cleaning the streets, lanes and alleys in the city of Baltimore," passed the nineteenth day of March, seventeen hundred and ninety-eight, be, and the same is hereby, revived and continued until the first day of March, eighteen hundred and two.

An ordinance to appoint city constables.

4. And be it enacted and ordained, That an ordinance entitled "An ordinance to appoint City Constables for the purpose of detecting offences against the several ordinances of the corporation of the city of Baltimore," passed the twenty-sixth day of February, seventeen hundred and ninety-nine, be, and the same is hereby, revived and continued until the first day of March, eighteen hundred and two.

Approved March 5th, 1801.

No. 13.

An ordinance to enlarge the powers of the City Commissioners.

Commissioners to hire persons, &c.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners shall have power and authority to hire, by the day, overseers, pavers and laborers, to pave any of the streets, lanes and alleys within the City, or contract with any person to perform the same, as to them shall seem proper.

May advance money.

2. And be it enacted and ordained, That the said Commissioners be, and they are hereby, authorized and empowered to advance to any person with whom they may contract for the paving of any of the streets, lanes and alleys within the City such sums of

money from time to time as they in their discretion shall think proper to enable the said contractor to carry on the work by him undertaken, and for this purpose shall draw on the Register of the City for the said sums in favor of the said contractor; provided always, that before any such sum of money shall be so advanced, the said Commissioners shall take a bond to the Mayor and City Council of Baltimore, with good and sufficient security, conditioned for the full and faithful performance of the contract on which the said money is advanced.

May draw on register.

Proviso.

3. And be it enacted and ordained, That the said Commissioners shall in their discretion pave any of the lanes or alleys within the City, in such manner, and with or without kerb-stones, as to them shall seem proper; provided the said lane or alley be not of greater width than twenty-five feet, anything in the several ordinances of this corporation to the contrary notwithstanding.

Discretionary powers given.

Proviso.

4. And be it enacted and ordained, That any one of the City Commissioners may, during the ensuing eight months, grant any person privilege in writing to take dirt out of the public grounds for the purpose of filling up nuisances, provided such order be approved by the Mayor.

One commissioner may grant privilege to take dirt from the streets, &c.

Approved March 7th, 1801.

No. 14.

An ordinance for building a City Hall for the city of Baltimore.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That Zebulon Hollingsworth, Nicholas Rogers, Richard Lawson, Elias Ellicott and James M' Cannon shall be commissioners for the purpose of erecting, under the control and with the approbation of the Mayor, a city hall in

Commissioners appointed to erect a city hall.

the city of Baltimore, and of purchasing a proper lot or parcel of ground for the same, which, when purchased, shall be conveyed in due form of law to the Mayor and City Council of Baltimore, and their successors; and the said commissioners, or a majority of them, under the control aforesaid, are hereby empowered to contract for materials, and to agree with workmen to build and finish the said city hall, which, when completed, shall be appropriated by the Mayor and City Council of Baltimore to such purposes as may from time to time be deemed expedient.

2. And be it enacted and ordained, That one-half part of the amount of the fifteen shillings tax imposed and levied on the assessable property of the City be appropriated to the defraying of the costs, charges and expenses of building and erecting the said city hall, and of purchasing the said lot of ground, which said part of said tax shall be annually applied as aforesaid until the requisite money be paid towards the completing of the said city hall and the purchasing said lot of ground.

Half the 15s. tax appropriated.

To be applied annually.

3. And be it enacted and ordained, That in case any of the said commissioners shall refuse to act, shall resign, die or remove out the City, or be incapable in the opinion of the Mayor to act, the Mayor shall fill up such vacancy.

In case of death mayor to fill up vacancy.

4. And be it enacted and ordained, That the Commissioners aforesaid, before they proceed to the execution of the trust herein committed to them, shall give bond to the Mayor and City Council of Baltimore, with such security and in such sum of money as shall be approved by the Mayor, conditioned for the faithful performance of the several duties prescribed by this ordinance.

Commissioners to give bond.

5. And be it enacted and ordained, That the said Commissioners, or a majority of them, shall be, and they are hereby, empowered to borrow, from time to time, upon the credit of the tax herein appro-

To borrow money.

priated, such sum or sums of money, as they with the approbation of the Mayor, may conceive to be necessary, at an interest not exceeding six per centum per annum, to be applied by them to the erecting of said City Hall, and the purchasing of said lot of ground.

6. And be it enacted and ordained, That the said Commissioners, with the approbation of the Mayor, shall be, and they are hereby, empowered to procure forthwith a suitable house, for the accommodation of the City Council, and for the office of the Mayor and Register, until the said City Hall be completed.

To procure a suitable house for the present.

Approved March 7th, 1801.

No. 15.

An ordinance for the more effectual filling up of Charles street from Pratt street to Barre street.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners, with the approbation of the Mayor, be, and they are hereby, empowered to receive and accept upon loan a sum of money not exceeding five hundred dollars, to be by them applied to the filling up the said street to such height or level, as they may judge the said part of the street ought to be raised, for the end or purpose of paving; which said sum of money shall be repaid by the corporation of the city of Baltimore, at or before the year eighteen hundred and three, to the person or persons who shall or may loan the same.

Commissioners to borrow money for the purpose of filling up Charles street.

To be repaid in 1803.

Approved March 9th, 1801.

No. 16.

An ordinance for the better collection of fines and forfeitures at the several markets.

Clerks entitled to half fines.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the clerks of the said markets shall henceforth be entitled to one half part of all the fines and forfeitures, which may be recovered by their several informations, under the several ordinances for regulating the markets.

Approved March 9th, 1801.

No. 17.

An ordinance to appoint two Superintendents of the streets in the city of Baltimore, and for other purposes therein expressed.

Superintendent to be appointed.

Their duty.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be two Superintendents of the Streets, one for the east, and the other for the west side of Jones' Falls, annually appointed, whose duty it shall be, under the direction of the Mayor, to remove or cause to be removed, the dirt, filth and manure found in any of the streets, lanes and alleys within the city of Baltimore, to convenient places, and there to sell and dispose of the same in such manner, and upon such terms, as the Mayor shall consider most for the advantage of the corporation.

Superintendents to grant permission to remove dirt, &c.

Except Baltimore street, &c

2. And be it enacted and ordained, That each of the said Superintendents be, and they are hereby, authorized to grant to any person or persons applying for the same, permission to remove any of the dirt, filth or manure, from any of the streets, lanes or alleys within the city, except Baltimore street east of Howard street, the market space, at the Centre market, and north Howard street.

3. And be it enacted and ordained, That each of the said Superintendents, in his respective district, shall have full right, power and authority, under the direction of the Mayor and the Commissioners of Health, to prevent and remove all nuisances which may endanger the health of the city; and to prevent and remove all other nuisances, under the control of the Mayor, in manner as has been heretofore or shall be hereafter provided by the ordinances of this corporation.

To remove nuisance, &c.

4. And be it enacted and ordained, That it shall be the duty of the said Superintendents to notice and report to the Mayor all breaches of the ordinances of this corporation, which shall come to his or their knowledge, and to which they shall diligently attend and enquire, and shall conform to and execute all orders which they shall receive from the Mayor or the said Commissioners of Health, conformable to any of the ordinances of this corporation.

To report them to the mayor, &c.

5. And be it enacted and ordained, That each of the said Superintendents shall once in each and every month, render to the Mayor a particular account of all monies by him received in the exercise of his office, and shall pay over the same to the Register of the City.

To account monthly.

6. And be it enacted and ordained, That before either of the said Superintendents shall enter upon the trusts and duties required of him by this or any other of the ordinances of the corporation, he shall take the following oath or affirmation: I, A. B. do swear or affirm, that I will faithfully discharge the duties required of me, as Superintendent of the Streets, to the best of my knowledge and ability, without favor or affection; and shall also give bond in the sum of one thousand dollars, with security to be approved of by the Mayor, to the Mayor and City Council of Baltimore, conditioned for the faithful performance of his said trusts and duties.

Oath.

To give bond.

7. And be it enacted and ordained, That each of the said Superintendents shall have and receive as Compensation. a compensation for his services, the sum of four hundred dollars yearly, to be computed from the time of his appointment; and moreover shall be entitled to receive, to his own use, one half of the fines and penalties imposed by the several ordinances of this corporation, which may be recovered upon his information.

8. And be it enacted and ordained, That the ordinance entitled "An ordinance for the appointment of a Superintendent for cleaning the streets, lanes and alleys in the city of Baltimore," and so much of the ordinance "to remove nuisances within the city of Baltimore," as permits the City Commissioners to contract with any person for the removal of the dirt and filth in the said streets, be, and the same are hereby, repealed. Former ordinance repealed.

Approved March 10th, 1801.

No. 18.

An ordinance to regulate party walls and partition fences.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That where party walls or partition fences have been or hereafter shall be erected, in a good and substantial manner, by any person or persons within the city, any person or persons who shall hereafter make use of, or derive advantage from such party wall or partition fence, shall pay the original proprietor or proprietors one half part of the value of such party wall or partition fence, at the time he or they shall make use thereof, or derive advantage therefrom; Provided, That no person shall have power under this ordinance to demand more than one half the expense of a nine inch brick wall for any building not ex- Half value to be paid. Proviso.

ceeding two stories high, nor more than one half the expense of any fourteen inch brick wall for any other building whatever; and provided also, that the cost of any fence shall not exceed three dollars for every ten feet of running measure.

Approved March 10th, 1801.

No. 19.

An ordinance directing the appropriation of certain sums of public money for the year eighteen hundred and one.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be appropriated to the deepening and preserving the harbor of Baltimore, to be paid out of the money arising ^{For deepening the harbor.} from the duty on tonnage of vessels and auctioneers of the city, the sum of six thousand dollars, to be laid out and expended in such manner as the Mayor of the city shall direct.

To the cleaning of the streets, and removing of nuisances, a sum not exceeding seven thousand dol- ^{Cleaning the streets.} lars.

To the Health Officer, a salary of eleven hundred ^{Health officer.} dollars, for the ensuing twelve months, commencing the first instant.

To the Health Department a sum not exceeding ^{Health department.} three thousand dollars.

For extra expenses, a sum not exceeding two ^{Extra expenses.} hundred dollars.

For repairing the paved streets, lanes and alleys, ^{Repairing paved streets, &c.} a sum not exceeding one thousand dollars.

- Market space in the 8th ward. For filling up and graveling Market street, in the eighth ward, agreeably to an ordinance directing the same, a sum not exceeding one thousand dollars.
- For paving streets, &c. For paving the streets, lanes and alleys, a sum not exceeding six thousand dollars.
- For watching and lighting the city. For lighting and watching the city, a sum not exceeding twelve thousand dollars.
- For commissioners of the watch. For the Commissioners of the Watch, the sum of three hundred dollars.
- For pumps. For repairing the public pumps in the first and seventh wards, the additional sum of fifty dollars each.
- For the hospital. And for building a wash house and other necessary improvements for the hospital, a sum not exceeding eight hundred dollars.
- Mayer to draw on register. 2. And be it enacted and ordained, That the Mayor may, from time to time, draw on the Register of the city to the amount of the aforesaid several appropriations, for their respective purposes, who is hereby directed to lay before the City Council, a full and particular account of the expenditures of said money, with the vouchers thereof.

Approved March 19th, 1801.

No. 20.

An ordinance to pave Market street in the eighth ward.

Preamble.

Whereas, the owners of the property on each side of the unpaved part of Market street in the eighth ward are desirous to pave the same, but have been prevented therefrom on account of the great expense

that would attend it, owing to the uncommon width of the said street; and, whereas, the paving of the said street would remove a great nuisance, and conduce to the health of the city; therefore,

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, authorized and directed to divide the said Market street into three parts, two of which, consisting of thirty feet each, shall be paved by the individuals owning property thereon, and the centre of the said street, of forty-eight feet, the City Commissioners shall fill up and gravel from Lancaster street to Fleet street, at the expense of the corporation, by the tenth day of June next; provided the warrant for paving the said street shall be signed by the said Commissioners by that day.

Market street to be divided.
To be paved.
Centre to be graveled.
Proviso.

2. And be it enacted and ordained, That so much of an ordinance entitled "An ordinance for the improvement of Market street in the eighth ward," as prohibits the paving of Aliceanna street be, and the same is hereby, repealed.

Part of a former ordinance repealed.

Approved March 19th, 1801.

No. 21.

A resolve respecting Lazarettos.

Whereas, by an act of Congress passed on the twenty-fifth day of February, in the year seventeen hundred and ninety-nine, it was among other things enacted, "That there shall be purchased or erected, under the orders of the President of the United States, suitable warehouses, with wharves and enclosures where goods and merchandise may be unladen and deposited from any vessel which shall be subject to a quarantine or other restraints, pursuant

Preamble.

to the health laws of any State as aforesaid, at such convenient place or places therein as the safety of the public revenue and the observance of such health laws may require;" and, whereas, the quarantine and health laws of the city of Baltimore do require that suitable warehouses with wharves and enclosures be purchased or erected where goods and merchandise may be unladen and deposited from any vessel which shall or may be subject to a quarantine, pursuant to the health laws of the said city; therefore,

Resolve.

1. Resolved, That the Mayor be, and he is hereby, requested to make application to the proper department of the general government for the purchasing or erecting suitable warehouses with the requisite wharves and enclosures at some convenient place or places near the port of Baltimore where goods and merchandise may be unladen and deposited according to the ordinances of this corporation, and to the true intent and meaning of the aforementioned provision of the said act of Congress.

Approved March 19th, 1801.

No. 22.

An ordinance for the due performance of quarantine at the port of Baltimore.

Preamble.

Whereas, it is found necessary in cities, particularly in seaports, to establish such laws and regulations as may tend to preserve the health of the inhabitants; and, whereas, it is of the utmost importance to the commerce of this State that the health, welfare and prosperity of this city be preserved, and that the introduction and spreading of contagious diseases be prevented; therefore,

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the health officer shall, and is hereby, directed to visit all vessels

Health officers
to visit vessels,
&c.

coming from beyond the seas, or other suspected places, judged to be so by the Mayor, yearly and every year from the last of March to the first of November, and where it shall appear to him necessary, detain the same at the quarantine ground under the regulations hereinafter mentioned.

To detain them if necessary.

2. And be it enacted and ordained, That all vessels coming from either of the Indies, the coasts of Africa and South America, or any port or place in the Mediterranean, or the seas or waters connected with the same to the eastward of the straits of Gibraltar, including all and every other port or place on the western side of Spain as far as Cape St. Vincent, from the first of May to the first of November, shall perform a quarantine of three days, during which time the health officer shall be compelled to pay them a visit daily, wind and weather permitting, and if at the last visit a further detention be necessary, he shall oblige the same to continue their quarantine, not exceeding ten days; and in all such cases the health officer shall give a certificate to the master or captain of the vessel, signed with his name, expressing the number of days the said vessel is to ride quarantine; and the health officer is hereby enjoined to pay another visit to the said vessel before the expiration of her quarantine, and if necessary continue the same any number of days not exceeding five days for each quarantine.

Vessels coming from India, &c. to perform quarantine.

Further detention if necessary.

Certificate to be given in all cases.

3. And be it enacted and ordained, That if the master or other person having charge or command of any vessel bound to the port of Baltimore, having on board any person or persons disordered with any contagious disease, or coming from any sickly port or place, without a clear bill of health, shall bring his vessel, or suffer or permit the same to be brought nearer to the port of Baltimore than the quarantine ground, or shall land or bring on shore, or cause or suffer to be landed or brought on shore, any such infected persons, or any part or parcel of their goods or effects, or any other goods, until he

No master, &c. coming from any sickly place to come on shore without permission.

Penalty. has obtained a license or permit so to do from the health-officer or his assistant, such master or other person having charge of such vessel, shall forfeit and pay for every such offence, the sum of three hundred dollars for the use of the corporation.

Master, &c. to give true account of his vessel. 4. And be it enacted and ordained, That if any master or other person having the command of any vessel at the time of inquiry by the aforesaid health officer or his assistant, shall have on board any person infected as aforesaid, and shall knowingly conceal the same, or shall not make a just and true discovery to the health officer or his assistant, of the sickly and disordered state of all and every person on board, from the time the said vessel departed from the port or place from whence she last sailed to the time of said inquiry, and of all other particulars necessary for the health officer or his assistant to know respecting the premises, such master or other person having the command of such vessel, shall forfeit and pay for every such offence, the sum of three hundred dollars, for the use of the corporation.

Penalty.

Pilot, &c. to come to, at the quarantine ground. 5. And be it enacted and ordained, That from and after the first day of April, to the first day of November, yearly, and every year, any pilot or any other person having the command of any vessel whatsoever, coming from any foreign port or place, and all other vessels coming from suspected places, judged to be so by the Mayor of the city, shall bring such vessel to at the quarantine ground, and if any pilot or any other person having command as aforesaid, shall bring such vessel nearer the city than the above mentioned place (which shall be at least a mile below the fort) or he or any other person on board shall leave such vessel before the health officer hath been on board and given him or them permission in writing, he or they shall forfeit and pay for every such offence, the sum of one hundred dollars, for the use of the corporation. Or if any person shall go on board or have communication in any

Not to leave the vessel before visited by a health officer. Penalty.

manner with such vessel, before he hath obtained permission from the health officer in writing, he shall forfeit and pay for every such offence, two hundred dollars, the one half to the informer, and the other to the use of the corporation; and be compelled to remain on board during the quarantine, under the same restrictions with the crew.

No person to go on board without permission.

Penalty.

6. And be it enacted and ordained, That during the time any vessel is ordered to perform quarantine, it shall not be lawful for any person on board to leave such vessel without permission from the health officer in writing; and every person so offending shall forfeit and pay three hundred dollars, the one half to the informer, the other to the use of the corporation. Or if any person shall go on board such vessel while performing quarantine, before he hath obtained permission from the health officer in writing, he shall forfeit three hundred dollars, the one half to the informer, the other to the use of the corporation, and be compelled to remain on board under the same restrictions with the crew.

No person to leave the vessel while performing quarantine.

Penalty.

No person to go on board while performing quarantine without permission.

Penalty.

7. And be it enacted and ordained, That if any pilot shall have knowledge that there is on board any vessel that he undertakes to pilot, any person sick with the plague, or any other contagious disease, (and it is hereby declared to be his duty to make due enquiry thereof) and shall pilot such vessel above the quarantine ground, he shall forfeit and pay for the use of the corporation five hundred dollars.

Pilot having knowledge of a sick person on board not to come above the quarantine ground.

Penalty.

8. And be it enacted and ordained, That no pilot shall leave a vessel which he hath piloted, and which hath been ordered to perform quarantine, unless he return immediately to the capes in prosecution of his business. And if any pilot thus leaving a vessel shall come into the city without permission in writing of the health officer, in less than fifteen days from the time he hath left such vessel, he shall forfeit three hundred dollars, for the use of the corporation.

Not to leave the vessel performing quarantine unless to go to the capes.

Penalty.

Vessels loaded with articles liable to damage not to come into port except with permission

9. And be it enacted and ordained, That no vessel arriving from the West India Islands, or other parts, in the months of June, July, August, September and October, loaded with coffee or other articles liable to damage or putrefaction, shall come up into port, but such cargoes shall be landed and aired, or discharged into other vessels while remaining in the river, or in the bite within and as near to Love's Point as may be consistent with safety, except especial permission is granted unto such vessel to come into port by the Mayor with the approbation of the commissioners of health, (in consequence of no circumstance appearing whereby the health of the city may be thereby endangered) and every master or owner of any vessel loaded as aforesaid, offending against the provisions of this clause, shall forfeit and pay for every such offence five hundred dollars, for the use of the corporation.

Penalty.

Vessels coming from India, &c. to discharge their cargoes at the quarantine ground.

10. And be it enacted and ordained, That all vessels arriving from the ports or places enumerated in the second enacting clause of this ordinance, shall discharge their cargoes and ballast at the quarantine ground, in houses for the purpose, under the inspection of the health officer, and such officers as they may appoint from the Custom House, (who shall be compelled to remain on the spot,) before they be permitted to be brought to the City; and the ship and wearing apparel of every person on board, be well cleansed and ventilated before they can obtain a permit from the health officer to come to the City. Provided, that nothing in this section contained, shall effect such vessels until the President of the United States, in conformity to an act of congress passed on the twenty-fifth day of February, seventeen hundred and ninety-nine, shall order the erection of warehouses, wharves and inclosures for the reception of goods and merchandise imported in such vessels.

Ship, &c. to be cleansed.

Proviso.

11. And be it enacted and ordained, That all such persons as may arrive in a sickly or disordered state

shall be sent to the hospital, or such lazaretto as may be provided for them, (which shall be as near the quarantine ground as possible) and the board of health are hereby empowered to furnish such assistance as they may stand in need of, and supply beds, bed clothes, provisions and such other articles as may be found absolutely necessary for the accommodation of the sick.

Sickly persons to be sent to the hospital, &c.
Board of health to provide necessaries

12. And be it enacted and ordained, That all disordered persons arriving in such vessels, who may be admitted into the hospital or lazaretto and leave the same before having obtained permission from the attending physician in writing, and shall come into the City, shall forfeit fifty dollars, for the use of the corporation.

Disordered persons not to leave the Hospital.
Penalty.

13. And be it enacted and ordained, That when any vessel shall arrive that has to perform quarantine, the letter bag shall be transmitted to the Post Office by the Health Officer, in such manner as the Board of Health may direct.

Letter bag to be sent to the Post office.

Approved March 19th, 1801.

No. 23.

An ordinance to preserve the health of the city of Baltimore, and to appoint Commissioners of Health.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That five persons, two of whom at least shall reside eastward of Jones' Falls, be annually appointed Commissioners of Health, whose duty it shall be, together with the Mayor, jointly and severally, to watch over the health of the city and to carry into effect the provisions in this ordinance enjoined upon them.

Commissioners to be appointed
Duty.

2. And be it enacted and ordained, That the

Commissioners of Health, immediately after their appointment, shall assemble and divide the city into five districts, allotting one district for each Commissioner of Health, a copy of which proceeding shall be filed in the Register's office, and whenever a change or alteration shall be made by them in such allotment a copy thereof shall be filed as aforesaid.

City to be divided into districts.

Commissioners to meet every week, &c.

3. And be it enacted and ordained, That the Commissioners of Health shall meet as a board, at least once a week at such place as a majority of them shall appoint in the months of April, May, June, July, August, September and October, for the purpose of communicating and receiving all possible information relative to the health of the City, and to advise and consult with each other, respecting the preservation of the same, and to perform the duties hereinafter mentioned, and to adopt such further regulations and measures in discharging the trust confided to them as may appear reasonable and proper. And each and every practising physician within the city is hereby invited and requested at all convenient times to give information of the state of the health of the city to the Commissioners of Health, and aid and assist them with their counsel and advice in all matters that relate to the preservation of the health of the inhabitants and the prevention of contagious diseases.

Physicians invited to attend.

To assist with their advice.

Nuisances to be removed.

4. And be it enacted, That it shall be the duty of each and every Commissioner of Health, to cause to be removed from the streets, lanes, alleys, wharves and docks, within the district allotted him, all offensive substances or nuisances which in his opinion may have a tendency to endanger the health of the citizens, and the Superintendents of the Streets and the several City Constables shall, and they are hereby, directed to obey without delay, all orders that shall or may be given them, or either of them, by any of the said Commissioners of Health, respecting the removing such nuisances.

Superintendents to obey their orders.

5. And be it enacted and ordained, That the Commissioners of Health, collectively, and each and every Commissioner of Health within his district, shall have full power and authority to enter upon any lots, grounds or possessions of any person or persons, bodies corporate and politic, and inspect into the condition of the same as far as respects the health of the city—and if the owner or owners, occupier or occupiers of the premises on which any nuisance shall or may be found of whatsoever description, which in the judgment of a Commissioner of Health may endanger the health of the city, shall on due notice being given by a Commissioner of Health in writing, refuse to have the same forthwith filled up, corrected or removed, as may be directed in such notice, he, she or they, so refusing or neglecting, shall forfeit and pay the sum of twenty dollars, for the use of the corporation, and the further sum of five dollars for every day the said nuisance shall remain thereafter contrary to the said notice, and shall moreover defray and pay the expenses incurred in case such nuisance shall be filled up, corrected or removed by any person employed under the authority and by the direction of a Commissioner of Health, and each and every of the City Constables is hereby directed and required to serve without delay, any orders or precepts that shall or may be given them by any of the said Commissioners of Health.

Powers.

Occupiers, &c.,
to remove nuisances.

Penalty for neglect or refusal.

City constables
to serve orders.

6. And be it enacted and ordained, That when, and as often as the said commissioners of health, or any of them, shall have cause to suspect a nuisance dangerous to the health of the city exists in any house, cellar or inclosure shut up from public view, they, or any one of them, may demand entry therein in the day time for the purpose of examining the same, and if the owner or occupier thereof shall refuse or delay to open the same and to admit a free examination, he shall forfeit and pay for every such refusal the sum of twenty dollars, for the use of the corporation.

Commissioners
may demand
entry into any
house.

Penalty for refusal.

Commissioners may order infected persons to be removed, &c.

May prohibit any intercourse except by physicians, &c.

Penalty for resisting.

May appoint persons to remove infected persons.

7. And be it enacted and ordained, That the said commissioners of health, or any three or more of them, shall have full power and authority to order by their precept in writing any person afflicted with any contagious disease dangerous to the community, to be removed to the hospital or to some retired place at the cost of the patient or at the public charge, if not provided for with sufficient accommodations suitable for persons afflicted with such disease, or the said commissioners may prohibit all kind of communication with the infected house or family, except by means of physicians, nurses or messengers, or other persons, to convey the necessary advice, medicines and provisions to the afflicted, as the circumstances of the case shall render the one or the other mode, in their judgment, most conducive to the good of the city, with the least private injury; and every person knowingly violating the said prohibited intercourse, or obstructing or resisting any of the said commissioners in the performance of any of the said duties, shall forfeit and pay for the use of the corporation the sum of twenty dollars for each and every offence; and each and every of the said commissioners shall have full power and authority to appoint a suitable person or persons, at reasonable wages, to remove as aforesaid all persons afflicted with a contagious disease, and shall have full power and authority to give an order for the reception of any person into the public hospital afflicted with a contagious disease dangerous to the community, whoshall apply for the same.

May employ a physician.

May provide medicine, &c.

8. And be it enacted and ordained, That the commissioners of health, or a majority of them, shall have full power and authority to appoint and employ an attending physician to the hospital, with the approbation of the Mayor, and nurses, as circumstances may at any time render necessary, and to provide medicine, meats, drinks, bedding and all other articles which may be requisite for the comfort and accommodation of the sick at the cost of the patient or at the public charge, as the case may require, and to contract with and appoint a suitable person to

superintend said hospital, and to establish such rules and regulations for the government of the said hospital as to them may appear proper and necessary.

Establish rules &c., for the hospital.

9. And be it enacted and ordained, That whenever the said commissioners shall discover that a contagious disease exists in the city, they shall advertise the citizens thereof, and caution them against having communication with the infected neighborhood; and in case such contagious disease shall appear to progress and threaten to become general, the said commissioners, by and with the advice and consent of the Mayor, may advise the inhabitants to remove, and to rent or cause to be erected houses or tents for the reception of poor persons who may not be able to remove themselves, and to provide such of them as have not the means of subsisting themselves with the real necessaries of life at the public charge, and to employ any messengers, assistants or servants to aid them in the discharge of their duty.

Advise the inhabitants to remove.

To erect houses for the reception of the poor

10. And be it enacted and ordained, That whenever the Mayor shall receive a report from the board of health, or other well grounded information that any contagious disease rages in any place on the continent with which the citizens of Baltimore may have communication, the Mayor may, and he is hereby, authorized to issue a proclamation forbidding the entrance of all persons or things coming by land or water from such infected place unto the city, or within three miles thereof, and the citizens from having any communication for at least fifteen days from the time of their departure from such infected place; but the Mayor may, and he is hereby, authorized, with the concurrence of a majority of the commissioners of health, to make such exceptions to the general prohibition by permitting the entrance of such persons or things as may to them appear safe and prudent, whom he may direct previous to such entrance to be examined by a physician or physicians to be appointed by the Mayor with the advice of the said commissioners of health

Mayor may issue proclamation.

May make exceptions to the general prohibition.

Penalty on persons offending against proclamation.

for that purpose; and every person willingly and knowingly offending against the direction of the said proclamation shall forfeit and pay the sum of three hundred dollars, one-half to the informer and the other half to the use of the corporation.

Damaged Coffee, &c., prohibited.

Penalty.

11. And be it enacted and ordained, That the Mayor, the Health officer, and each and every Commissioner of Health, are hereby required, authorized and empowered to prohibit the landing or bringing into the city or precincts, by land or water, any damaged coffee, damaged hides, or other damaged or infected articles, which in his or their judgment may endanger the health of the inhabitants, and every person willingly and knowingly landing or bringing into the city or precincts any of the said articles, whether contrary to or without any prohibition aforesaid, shall forfeit and pay for every such offence the sum of three hundred dollars, one half to the informer and the other half to the use of the corporation.

Commissioners may order damaged coffee, &c., to be removed.

Penalty for refusal.

12. And be it enacted and ordained, That whenever the said Commissioners of Health, or either of them, shall find within the city or precincts any damaged coffee, damaged hides or other damaged or infected article which in their judgment may endanger the health of the inhabitants, they, or either of them, shall order the same by their precept in writing, to be removed therefrom to any distance not exceeding three miles, and if the person or persons owning or having charge of such articles shall not comply with such order within six hours thereafter, every person so offending shall forfeit and pay the sum of one hundred dollars for every such neglect or refusal, and the sum of twenty dollars for every hour the same shall thereafter so remain, for the use of the corporation.

13. And be it enacted and ordained, That all necessary expenses incurred by the said Commissioners of Health in the discharge of the duties

herein required, shall be defrayed by the corporation, and the Commissioners of Health or a majority of them, may with the consent of the Mayor, draw on the Register of the city, from time to time, for such sums as may be requisite to carry into effect the duties herein enjoined upon them; and they shall quarter yearly, or whenever thereto required, lay a detailed state of their accounts before the Mayor, and annually before the City Council; and they may appoint a clerk, and allow him a reasonable compensation for his services, who shall keep fair minutes of their proceedings.

Corporation to pay all expenses.

Commissioners may draw on the register.

To render accounts quarterly.

May employ a clerk.

14. And be it enacted and ordained, That the said Commissioners of Health shall each have and receive an annual salary of four hundred dollars.

Compensation.

15. And be it enacted and ordained, That if at any time any of the said Commissioners of Health shall remove out of the city, so as to neglect his duty, such Commissioner's salary shall be forfeited, and his office shall become vacant.

Salary forfeited on removal.

16. And be it enacted and ordained, That an ordinance entitled "An ordinance to preserve the health of the city, and to prevent the introduction of contagious diseases into the same," passed on the twenty-sixth day of February, one thousand seven hundred and ninety-nine, be, and the same is hereby, repealed.

Former ordinance repealed.

Approved March 20th, 1801.

No. 24.

An ordinance to prevent and remove pent houses and other obstructions in and over the streets, lanes and alleys of the city of Baltimore.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That if any person or

No pent house
to be erected.

Penalty.

persons whomsoever, shall, after the publication of this ordinance, set up any pent house, shed or wooden awning in any of the streets, lanes or alleys of the said city, every person so offending shall forfeit and pay the sum of five dollars, for the use of the corporation, and one dollar for each and every day the same shall so remain thereafter.

Commissioners
to order the re-
moval of pent
houses, &c.

Penalty on re-
fusal.

2. And be it enacted and ordained, That the City Commissioners shall, and they are hereby, authorized and empowered forthwith to order the removal of every pent house, shed or wooden awning, from any of the streets, lanes or alleys of the said city; and in case any person shall refuse or neglect to comply with such order, every person so offending shall forfeit and pay the sum of five dollars, for the use of the corporation, and one dollar for each and every day the same shall so remain thereafter.

Approved March 20th, 1801.

No. 25.

An ordinance to keep in repair the public wharves and docks of the city of Baltimore.

Preamble.

Whereas, many individuals have been at considerable expense in making and improving the public wharves in the city of Baltimore, and a revenue is derived to the city from the wharfage thereof; and whereas, it is but just and reasonable that the same or so much thereof as may be necessary, should be appropriated to the keeping the said wharves in repair and in improving the streets and cleaning the docks thereof—therefore,

Application of
the monies aris-
ing from wharf-
age.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That all monies arising to the city from the wharfage aforesaid, for the ensuing year, be, and are hereby, specifically appro-

riated to the improvement of the particular wharves and docks from which the same may be collected.

2. And be it further enacted and ordained, That the Mayor shall appoint one or more Commissioners to each of the public wharves within the city, whose duty it shall be to superintend and direct the application of the monies so arising as aforesaid, to the improvement of the streets, and cleaning of the docks of the particular wharf which they may be appointed to superintend.

Commissioners
to be appointed
to lay out the
money, &c.

3. And be it enacted and ordained, That this ordinance shall be and continue for one year.

Approved March 21st, 1801.

No. 26.

An ordinance to encourage the introduction and use of broad wheels.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That from and after the publication of this ordinance, all wagons and carts the fellows of whose wheels shall be of the breadth or gauge of four inches from side to side, at the least, shall be exempted from the payment of the tax imposed on wagons and carts by the Act of Assembly passed at November session, one thousand seven hundred and eighty-two, entitled "An act for the more effectual paving the streets of Baltimore town, in Baltimore county, and for other purposes," and shall also be entitled to receive from the Mayor a license agreeably to the ordinance entitled "An ordinance to regulate wagoners, carters, porters, draymen, watermen, hackney coaches, stages and other carriages for hire within the city of Baltimore," without any expense whatever, except the numbering their wagon or cart agreeably to the said ordinance.

Broad wheel
wagons, &c., ex-
empt from the
payment of the
specific tax, &c.

To be licensed
free of expense.

Narrow wheel
wagons to be
licensed.

2. And be it enacted and ordained, That all wagons and carts the felloes of whose wheels are of a less width or gauge than four inches from side to side, and which by the aforesaid Act of Assembly are liable to pay five pounds for passing on or over any of the paved parts of the city, shall be exempted from the payment of the said fine or penalty, on the owners obtaining annually from the Mayor a license for that purpose, for which a wagon shall pay ten dollars, and a cart five dollars, which license shall be for one year from its date, and no longer.

Tax for license.

And whereas, doubts have arisen whether by the aforesaid Act of Assembly, carts drawn by two horses are subject to the penalties therein mentioned,

Carts drawn by
not more than
two horses not
liable to penalty

3. And be it enacted and ordained, That carts drawn by not more than two horses or mules, are not considered as liable to the said penalties, but that in all licenses hereafter to be granted by the Mayor, for narrow wheeled carts under the aforesaid ordinance, to regulate wagoners, carters &c. the license shall express whether for a one horse cart or a two horse cart, and if for a two horse cart the owner shall pay an additional sum of one dollar over and above the two dollars mentioned in the said ordinance.

License to ex-
press the num-
ber, &c.

Approved March 21st, 1801.

No. 27.

An ordinance respecting nuisances.

No person to
throw any rub-
bish, &c., on
any of the
streets, &c.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That if any person or persons shall cast, place or lay, or cause to be cast, placed or laid, any rubbish, oyster shells, filth, shavings, stable manure or the offals of his, her or their trade, business, or occupation, in any of the streets,

lanes or alleys of the city of Baltimore (unless the same be placed or laid in front of his or their lot, and removed on the same day) he, she or they so offending, shall forfeit and pay for every such offence the sum of one dollar, for the use of the corporation, Penalty. and the further some of one dollar for each and every day the same shall be suffered to remain, for the use of the corporation.

2. And be it enacted and ordained, That if any person or persons shall cast, place or throw down any rubbish from buildings, cellars or back yards, fire wood, coal, barrels, hogsheads, boxes or other packages of goods, wares or merchandise, or any empty boxes, barrels or hogsheads in any street, lane or alley of the said city, and shall not remove the same on the same day on which any of the above enumerated articles may have been placed as aforesaid, every such person so offending shall forfeit and pay one dollar, for the use of the corporation, and the further sum of one dollar for each and every day the same shall be suffered so to remain, for the use of the corporation, except the article of fire wood, which may remain for forty-eight hours on such street, lane or alley, and no longer. Penalty on persons placing any rubbish from buildings, &c., or emptying hogsheads, &c., on the streets, &c.

3. And be it enacted and ordained, That if any person or persons shall in any manner whatsoever, incommode, incumber or obstruct any of the footways of the streets, lanes or alleys of the said city, or the gutters thereof, except in the immediate act of moving and removing goods, wares or merchandise, or other things in the way of their trade or business, or for the use of their families, (excepting flour and spiritous liquors, and such other articles as are to be inspected or gauged under the ordinances of this corporation; such articles however, to be arranged on the pavement so as not to obstruct the passage of said footways,) from the stone pavement to his, her or their house, store, cellar or back yard, or from his, her or their house, store, cellar or back Penalty on persons obstructing the footways, &c. Exception.

yard, to the stone pavement, every person or persons so offending shall forfeit and pay the sum of one dollar, for the use of the corporation.

Persons building or repairing may occupy with materials one-third part of any street, &c.

Also with plastering mortar.

4. And be it enacted and ordained, That it shall and may be lawful to and for any person or persons employed in building or repairing any house, houses or tenements, to use and occupy one-third part of any street, lane or alley of the said city clear of the footways in front of any lot on which such building is erecting, or repair making, with the materials necessarily used in making such buildings or repairs, until the same be covered or repaired, and thirty days thereafter and no longer, under penalty of forfeiting one dollar for each and every day the same shall be suffered so to remain thereafter, for the use of the corporation; also to use and occupy one-third part of such street, lane or alley in front of such lot with plastering mortar and other materials necessary for plastering such house or building for sixty days and no longer, under penalty of one dollar for each and every day the same shall be suffered so to remain thereafter, for the use of the corporation.

Penalty on persons discharging foul or nauseous liquor in the streets, &c.

5. And be it enacted and ordained, That if any person or persons shall cast, discharge, throw or cause to flow into any of the streets, lanes or alleys of the said city or precincts, any foul or nauseous liquor, or offensive matter, or shall keep, collect, use or suffer to remain on his, her or their premises any such nauseous liquor or offensive matter so as to annoy any of the inhabitants thereof, he, she or they so offending shall forfeit and pay for each and every such offence five dollars, and the further sum of five dollars for each and every day the same shall so remain thereafter, for the use of the corporation.

Hogs to be kept in stys within the city from the 1st of April to the 1st of November.

6. And be it enacted and ordained, That if any person or persons shall at any time between the first day of June and the first day of November next, and between the first day of April and the first day of November, in each and every year thereafter, keep

any hog or hogs within the city in a sty, he, she or they shall forfeit and pay the sum of twenty dollars, and the further sum of five dollars for each and every day such hog or hogs shall thereafter be so kept.

7. And be it enacted and ordained, That from the first of November to the first of April, if any person or persons having a hog or hogs in a sty, shall keep the same in such manner that the stench and filth thereof shall become offensive to and annoy any neighbor or other person, the person or persons so keeping his, her or their hog or hogs as aforesaid shall forfeit and pay for every such offence one dollar, and the further sum of one dollar for each and every day the same shall be suffered so to remain, for the use of the corporation.

Persons keeping hogs in the city from the 1st of November to the 1st of April to keep their stys free from stench and filth.

Penalty.

8. And be it enacted and ordained, That no person or persons shall cast, carry, draw out or suffer to lay any dead horse, or other dead carcass, or any excrement or filth from vaults, privies or necessary houses in any part of the said city, precincts or harbor of Baltimore, except the same be buried in such manner as effectually to prevent any offensive smell, under a penalty of twenty dollars for each and every such offence, together with the expense of removing the same, for the use of the corporation.

No person to throw or suffer any dead carcass, &c., to remain in the city or precincts.

Penalty.

9. And be it enacted and ordained, That the owner or owners of every cart, wagon or other carriage employed in removing or carrying any sand, dirt, gravel, loam, earth, manure, filth, stone, bricks or coal over any of the streets, lanes or alleys in said city, shall have and keep the same in such tight and secure condition as that such sand, dirt, gravel, loam, earth, manure, filth, stone, bricks or coal shall not be scattered, or suffered to fall on any of the streets, lanes or alleys aforesaid, under the penalty of one dollar, for the use of the corporation; and if any cart or other carriage employed as aforesaid shall

Carts, &c., carrying sand, &c., through the city to be well secured.

Penalty.

Superintendents of the streets to see that carts, &c., are well secured.

by either of the superintendents of the streets be adjudged unfit for such employment, the said superintendent shall give notice thereof to the owner or owners, or to the driver; and if any such cart, wagon or other carriage shall be thereafter so employed without being duly repaired, the owner or owners shall forfeit and pay for the use of the corporation the sum of one dollar for each and every day such cart, wagon or other carriage shall be so employed.

Hogs, &c., running at large in the city to be seized and sold.

10. And be it enacted and ordained, That the City Commissioners shall employ one or more persons to seize and take all hogs, goats and geese found at large within the said city, and the same to sell and dispose of at public sale for the use of the corporation.

Mayor authorized to employ a suitable person to remove kitchen filth, &c.

11. And be it enacted and ordained, That in order to promote cleanliness in the houses and back yards of the citizens, and to preserve the health of the city, the Mayor is hereby authorized and empowered to employ one or more suitable person or persons, each with a horse and cart, from the first of May to the first of November, as a scavenger or scavengers to pass through the city and call at every dwelling house at least twice a week, giving notice of his approach by a hand bell; and the inhabitants shall have the privilege to cast into the said scavenger's cart, the house dirt they have collected, which shall consist of the sweepings of their houses and the offals of their kitchens only, to be by the scavenger conveyed away to some remote place.

Goods, &c., exposed for sale not to project more than 12 inches from the side of any street.

12. And be it enacted and ordained, That if any person or persons shall set or place any goods, wares or merchandise, by way of exposing them to sale, in any street, lane or alley in this city, to project more than twelve inches from the wall of his, her or their house or store, every such person shall pay a fine of

one dollar, for the use of the corporation, Provided, Proviso. that this clause shall not extend to, or interfere with any regulation in the ordinances concerning the markets, nor extend to goods sold at public auction.

Approved May 4th, 1801.

No. 28.

A supplement to the ordinance to appoint city commissioners.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the City Commissioners be, and they are hereby, authorized and empowered to erect, set up, or place a rope, chain or bar in or across any of the streets, lanes or alleys of the city which they may be about to pave, amend or repair for such time as they may think necessary; and that if any person or persons shall throw down, remove or obstruct such rope, chain or bar, every such person shall forfeit and pay for every such offence, the sum of ten dollars, for the use of the corporation.

City Commissioners authorized to place a chain, &c. across any street, &c., they are about to pave.

Penalty for removing the same.

Approved May 4th, 1801.

No. 29.

An ordinance to grant permission to certain persons, to extend their lots from Wilk's street and Bond street, into the water.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the proprietors of the several lots of ground on that part of Wilk's street, that lies between Harford street and Caroline street, have privilege to extend their several lots southward, as far as the south side of Aliceanna street—and that the proprietors of the several lots of

Proprietors may extend their lots

ground on that part of Bond street, that lies between Aliceanna street and Lancaster street, have privilege to extend their several lots westward, as far as the west side of Eden street—which said lots so extended shall be the sole right and absolute property of the present proprietors of said lots: *Provided*, That the said proprietors shall be obliged to fill up said lots to such height as the city commissioners may direct.

Proviso.

2. And be it enacted and ordained, That it shall be the duty of the commissioners of health, immediately to examine said lots, and direct the proprietors thereof to fill up such parts as may be by them considered a nuisance, allowing a reasonable time for the completion of the same, as in case of other nuisances. And if the said proprietors shall refuse or neglect to comply with such order, the commissioners of health may proceed to fill up said nuisance at the expense of the proprietors: *Provided*, That all the streets, lanes and alleys, ranging with the several extended streets, lanes and alleys, shall be the property of the public, and not the property of said proprietors.

Nuisances to be removed.

In case of neglect or refusal, commissioners of health to remove.

Proviso.

Approved May 4th, 1801.

No. 30.

An ordinance to compensate James Long for the use of his house by the City Council.

Two hundred dollars allowed James Long for the rent of his house.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That there be allowed to James Long, for the occupation of his house by the City Council, to the first day of May, eighteen hundred and one, the sum of two hundred dollars; and that the Register of the city pay the said Long, the sum of money above mentioned, out of any unappropriated money in the treasury of the city.

Approved May 4th, 1801.

No. 31.

An ordinance to regulate the sale of bread.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That it shall be the duty of every baker or other person or persons employed at any time in the making and baking of bread of any kind for sale in the city of Baltimore, and they are hereby directed to mark or stamp on every loaf of bread of every description whatsoever, Bread to be stamped, &c. (rolls not exceeding four ounces in weight, rusks, Exception. cakes and biscuits excepted,) the surname of such baker or other person at full length, and that all such bread as aforesaid, shall be made into loaves of the following weights, to wit: into loaves weighing one pound eight ounces, or into loaves weighing three pounds weight and no others. Weight, &c.

2. And be it enacted and ordained, That if any baker or other person shall sell or offer for sale within the city of Baltimore, any bread of any other description than is mentioned and contained in this ordinance, or shall sell or offer to sell any loaf of bread which shall weigh less when cold, than it is sold or intended to be sold for, every such person so offending shall forfeit and pay ten cents for every such offence, one half to the informer and the other half for the use of the city. Penalty for selling bread under weight.

3. And be it enacted and ordained, That if any baker or other person or persons employed in making any kind of bread for sale within the City of Baltimore, shall adulterate or mix any improper or unwholesome ingredient in the flour whereof such bread is made, every such person shall forfeit and pay twenty dollars, one half to the informer and the other half for the use of the city. Penalty for adulterating flour, &c.

4. And be it enacted and ordained, That this ordinance shall take effect and be in force on and after the first day of May next. Commencement.

Approved March 10th, 1802.

No. 32.

An ordinance granting permission to Samuel Chase to extend his ground herein described, into the basin.

[By this ordinance permission was granted to Mr. Chase to extend his ground lying between the west side of Jones' Falls, and one hundred and sixty feet from the east side of the Market space, for the breadth of 180 feet, from the limits of the Port Warden's line, as far into the basin as the south side of Lee street—the said S. Chase filling up above ordinary high water mark, and leaving open opposite to the end of Fleet street on Fell's Point, 60 feet as a public street or highway forever—and conveying to the Mayor and City Council of Baltimore, 40 feet in length by 50 feet in breadth, at the south end of Concord street, as a public wharf, &c. &c.]

Approved March 23d, 1802.

No. 33.

An ordinance granting permission to Thomas McElderry to extend his ground herein described, into the basin.

[By this ordinance permission was granted to Thomas McElderry to extend his ground lying between Concord street and McElderry street for the width thereof, as far into the basin as a straight line drawn from the southwest corner of the present wharf of the said T. McElderry, adjoining Market street dock, shall strike the intersection of the west side of the line of Concord street, with the south side of Lee street and no further. A street to be left open opposite Fleet street, sixty feet wide, and McElderry street to be filled up above ordinary high water mark, of the breadth of 40 feet from its northern extremity to the south end thereof.]

Approved March 23d, 1802.

No. 34.

An ordinance for laying out and deepening a channel in the basin of Baltimore.

[By this ordinance a channel was to be staked off, for the north side thereof, "Beginning at the distance of 130 feet south from the intersection of Pratt street, and the line of the east side of Light street and Forrest street, thence running eastwardly until it intersects the east side of the line of Market space, at the distance of 480 feet southwardly therefrom. And for the south side thereof, to begin at the distance of 200 feet from the north side at the east line of Light and Forrest streets, and run in a parallel line with the north side of the channel, until it intersects the line of the west side of Frederick Street dock." To be deepened by the mud machine, first on the north and then on the south side, so as for its entire lenth to admit a draught of water of ten feet.]

Approved March 23d, 1802.

No. 35.

An ordinance for the more equal division of the city of Baltimore into wards.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That the city of Baltimore be divided into the following eight wards, to wit: the first ward to comprise all that part of the City westward of Forrest street and Sharp street, to the limits of the City.

City of Baltimore divided into wards.
The first ward.

The second ward to comprise all that part of the City from the limits aforesaid, eastward to Charles street till it intersects Pratt street, thence down Pratt street to the basin, thence with the meanders of the basin southwardly and westwardly with the limits of the City to Sharp street.

The second ward.

The third ward. The third ward to comprise all that part of the City from the limits last aforesaid, as follows, to wit: to commence at the intersection of Charles street and Pratt street and thence down Pratt street to the basin, thence with the meanders of the basin to Calvert street, thence with Calvert street to Lovely lane, thence with Lovely lane to South street, thence with South street to Baltimore street, thence across Baltimore street to North lane, thence with North lane to the limits of the City, and thence with the limits of the City to Charles street.

The fourth ward.

The fourth ward to comprise all that part of the City from the limits last aforesaid, beginning at Calvert street dock, thence with the meanders of the basin to Smith's dock, thence across Pratt street to Spear's alley, thence with Spear's alley to Water street, thence along Water street westward to Exchange alley, thence with Exchange alley to Second street, thence across Second street to Tripolet's alley, thence with Tripolet's alley to Baltimore street, thence with Baltimore street to Gay street, thence with Gay street to Jones' Falls, and thence with Jones' Falls and the limits of the City to North lane.

The fifth ward.

The fifth ward to comprise all that part of the city from the limits last aforesaid, beginning at Smith's dock, and running thence with the meanders of the Basin to M'Elderry's dock, thence with M'Elderry's dock and the centre Market space to Baltimore street, thence crossing Baltimore street to Harrison street, thence with Harrison street to Gay street it intersects Jones' Falls.

The sixth ward.

The sixth ward to comprise all that part of the city from the limits last aforesaid, beginning at M'Elderry's dock, and running thence with the meanders of the Basin to Jones' Falls, thence with Jones' Falls to Philpot's Bridge, thence crossing Jones' Falls and running along Baltimore street extended, and York street to Harford street, and thence

crossing Harford street, and continuing along Dulaney street eastward to the limits of the city, and thence with the limits of the city to Jones' Falls, thence with the said Falls to Gay street.

The seventh ward to comprise all that part of the city from the limits last aforesaid, beginning at Philpot's Bridge, and running thence with the Falls to the Basin, thence with the meanders of the Basin to Alliceanna street, thence with Alliceanna street to the limits of the city, and thence with the limits of the city to Dulaney street. ^{The seventh ward.}

The eighth ward to comprise all the rest of the city, to the south of Alliceanna street to the limits thereof. ^{The eighth ward.}

2. (Appointing places for holding elections, repealed by the second section of an ordinance respecting the election of the Mayor and the City Council of Baltimore, passed the eighteenth of March, 1807.)

3. (Authorizing judges to adjourn, repealed by the same.)

4. (This section contains a temporary provision for the commencement of the ordinance, &c.)

Approved March 29th, 1802.

No. 36.

A supplement to the ordinance entitled "An ordinance for licensing and regulating auctions within the city of Baltimore, and the precincts thereof."

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That every auctioneer licensed under the ordinance to which this is a supplement, shall out of the monies arising from each ^{Duties on sales at auctions.}

and every sale at auction, return and pay to the Register, for the use of the city, at the rate of one hundred cents for every hundred dollars on the amount of all sales made by him or them, and shall once in every three months, on oath or affirmation, account for and pay the same to the Register for the use of the city.

2. And be it enacted and ordained, That so much of the ordinance to which this is a supplement, as is repugnant to and inconsistent with this supplement, be and the same is hereby repealed.

Repeal of part of
an ordinance.

3. And be it enacted and ordained, that this supplement shall, and is hereby declared to commence and be in full force and operation on and after the first day of July next, and not before.

This ordinance
to commence.

Approved June 4th, 1802.

No. 37.

An ordinance to impose a tax on the real and personal property within the city of Baltimore, for the year eighteen hundred and two, and to provide for the collection of the same.

Tax of fifteen
shillings to be
laid.

1. Be it enacted and ordained by the Mayor and City Council of Baltimore, That a tax of fifteen shillings current money of Maryland, shall be and hereby is laid and imposed upon every hundred pounds worth of property within the city of Baltimore, and in the same proportion for every greater or less sum as the said property shall have been valued in virtue of an act of assembly, entitled an act for the valuation of the real and personal property within the State, passed at November session, seventeen hundred and ninety-seven, and specified in the return or returns of the assessment made by the assessors as well to the commissioners of the county, as to the commissioners of the city of Baltimore, in virtue of the said act of assembly, and

also in virtue of an ordinance, entitled an ordinance to impose a tax on the real and personal property within the city of Baltimore, for the year eighteen hundred and one, passed March the fifth, eighteen hundred and one, and the said tax shall be paid, collected and received in the manner hereinafter directed.

2. And be it enacted and ordained, That the collector heretofore appointed, be and he is hereby authorized and appointed to collect the tax hereby imposed, who before he enters upon the execution of his office, shall take and subscribe the oath or affirmation directed by the act of incorporation, and give bond to the Mayor and City Council of Baltimore, in the penal sum of ten thousand dollars with security to be approved by the Mayor, for the well and faithful execution of the trust reposed in him by this ordinance; and that he will pay monthly to the Register of the city such sums of money as he shall receive in the course of collection, and that he will complete the said collection on or before the first day of January next.

Collector to give bond, &c.

3. And be it enacted and ordained, That the said collector shall make out and deliver to each taxable, or leave at his or their last place of abode, or if non-resident, at the property, an account in writing of the said assessment, containing the items in words at length, and the amount thereof, which said account shall be so delivered or left on or before the first day of August next.

Collector to deliver accounts in writing.

4. And be it enacted and ordained, That if the said tax is not paid by the first day of September next, that then and in such case the said collector is hereby authorized and directed to proceed to recover the same agreeably to the mode prescribed by the act of incorporation; and that he shall have and receive a commission of six per centum for collecting the same.

Tax to be paid by the first of September.

5. And be it enacted and ordained, That the Mayor or of the city be authorized to make transfers on the book or books of assessment of the said city, and to allow for insolvencies as the commissioners of the tax for the city of Baltimore are authorized to do by the said act of the general assembly of Maryland, entitled "an act for the valuation of real and personal property in this State," passed at November session, seventeen hundred and ninety-seven.

Approved June 4th, 1802.

A LIST OF THE ORDINANCES

OF THE CITY COUNCIL OF BALTIMORE,

From 1797 to 1802, Inclusive.

An ordinance to continue the several officers therein mentioned in the exercise of the powers heretofore granted to them by the Commissioners of Baltimore town, and Port Wardens, until the Corporation shall take further orders therein.—Page 17.

An ordinance to appoint persons to take into possession and safe keeping the records, papers, proceedings, monies and accounts of the corporation of the city of Baltimore. Page 17.

An ordinance to provide a seal for the city of Baltimore. Page 19.

An ordinance to compel the attendance of absent members of the City Council. Page 19.

An ordinance to establish a register and treasury department. Page 21.

An ordinance to appoint a person to collect all arrearages of taxes, fines, forfeitures, and tavern and other licenses, now due and owing to the corporation of the city of Baltimore. Page 24.

An ordinance to restrain gaming, and to license and regulate theatrical and other public exhibitions within the city and precincts of Baltimore. Page 25.

- An ordinance directing the manner of filling up vacancies in the first branch of the City Council and the electors of the Mayor and second branch of the City Council, and directing the returns of elections for the city of Baltimore. Page 28.
- An ordinance for the inspection of salted provisions, imported into and exported from the city of Baltimore. Page 30.
- An ordinance respecting the night watch and lamps in the city of Baltimore. Page 37.
- An ordinance to preserve the health of the city, and to prevent the introduction of pestilential and other infectious diseases into the same. Page 38.
- An ordinance to regulate the riding and driving of horses and carriages through the city of Baltimore. Page 44.
- An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned. Page 47.
- An ordinance to appoint city commissioners. Page 54.
- An ordinance to prevent and remove nuisances in the city of Baltimore, and within the precincts thereof, and to provide an uniform mode for cleaning the streets, lanes and alleys within the said city. Page 58.
- An ordinance to regulate the several markets within the city of Baltimore. Page 64.
- An ordinance to regulate the cording of fire-wood within the city of Baltimore. Page 71.
- An ordinance to prepare a scheme of a lottery, to raise a sum of money for the use of the city of Baltimore. Page 74.

- An ordinance to erect and regulate pumps in the streets, lanes and alleys of the city of Baltimore. Page 75.
- An ordinance to regulate the selling of lime in the city of Baltimore. Page 76.
- An ordinance respecting the upper and middle bridges on Jones' Falls, in the city of Baltimore. Page 77.
- An ordinance to preserve the navigation of the harbor of Baltimore, and to provide for the exercise of the powers heretofore vested in the port wardens by the Act of Assembly. Page 80.
- An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same. Page 85.
- An ordinance to regulate the measurement of grain and other articles, in the city of Baltimore. Page 89.
- An ordinance directing the manner of collecting and appropriating the money levied for paving the streets, lanes and alleys in the city of Baltimore. Page 90.
- An ordinance directing the appropriation of certain sums of public money, for the use of the city of Baltimore. Page 91.
- An ordinance to ascertain the several taxes in the city of Baltimore, and to direct the manner of collecting the same. Page 92.
- An ordinance imposing a tax on the City seal, and regulating the fees of the register's office. Page 94.
- An ordinance for the payment of the journal of accounts. Page 94.

- An ordinance fixing the salary and compensation of the officers of the city of Baltimore, for the present year, and for payment of the same. Page 95.
- An ordinance directing the manner of collecting fines not exceeding one dollar, accruing in virtue of ordinances of the corporation of the city of Baltimore. Page 97.
- An ordinance empowering the Mayor of the city of Baltimore to grant licenses for the purposes therein mentioned. Page 97.
- A supplement to an ordinance entitled "An ordinance for the inspection of salted provisions imported into and exported from the city of Baltimore. Page 98.
- An ordinance empowering the Mayor to rent a magazine for the storing of gunpowder, and employing a keeper thereof, and for regulating the sweeping of chimneys within the city of Baltimore. Page 98.
- A supplement to an ordinance to regulate the riding and driving of horses and carriages through the city of Baltimore. Page 100.
- An ordinance authorizing the Mayor of the city of Baltimore to mitigate fines in certain cases. Page 100.
- An ordinance directing the manner of paving, amending and repairing the footway of the streets, lanes and alleys in the City of Baltimore. Page 101.
- An ordinance to change and alter the pavement of Liberty street, from the north side of Baltimore street to Howard street. Page 102.
- A supplement to the ordinance to prevent and remove nuisances in the City of Baltimore, and within the precincts thereof, and to provide an uniform mode of cleaning the streets, lanes and alleys within the said city. Page 103.

- An ordinance authorizing the Commissioners of the middle bridge to borrow a further sum of money on loan, for the purpose of carrying into execution the objects of their appointment. Page 105.
- An ordinance extending the time limited for the collection of the fifteen shilling tax, in an ordinance entitled "An ordinance to impose a tax on the real and personal property within the City of Baltimore, and to provide for the collection of the same." Page 106.
- An ordinance to suspend so much of the ordinance entitled "An ordinance to regulate the cording of fire wood within the City of Baltimore, as relates to the length of fire wood brought to the said city for sale." Page 106.
- An ordinance to regulate the weighing of hay, brought to the City of Baltimore for sale. Page 107.
- An ordinance fixing the compensation of the treasurer of the City of Baltimore. Page 110.
- An ordinance for raising and repaving that part of Water street which is situated between Calvert street and public alley. Page 110.
- An ordinance for the more effectual paving the streets, lanes and alleys in the City of Baltimore. Page 111.
- An ordinance directing a general survey of the city and precincts. Page 112.
- An ordinance to fill up a part of Calvert street dock, and remove the nuisance occasioned thereby. Page 114.
- A supplement to the ordinance entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned." Page 115.
- An ordinance for the payment of the Journal of Accounts. Page 116.

- An ordinance to authorize the members of the Masonic Federal Lodge, No. 21, and the members of the Masonic Washington Lodge, No. 3, to erect a building for public purposes, on the market square on Fell's Point, and to authorize the City Commissioners to remove the Fell's market house from the place where it now stands, to the middle of Market street. Page 117.
- A supplement to the ordinance entitled "An ordinance for the inspection of salted provisions, imported into and exported from the city of Baltimore." Page 118.
- An ordinance to diminish the number of dogs in the city of Baltimore. Page 120.
- An ordinance to raise and repair part of Dutch alley. Page 121.
- A supplement to the ordinance entitled "An ordinance to preserve the health of the City, and to prevent the introduction of pestilential and other infectious diseases into the same." Page 121.
- A further supplement to the ordinance entitled "An ordinance to preserve the health of the City, and to prevent the introduction of pestilential and other infectious diseases into the same." Page 122.
- A supplement to the ordinance entitled "An ordinance directing the appropriation of certain sums of public money for the use of the city of Baltimore." Page 123.
- A further supplement to the ordinance entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned." Page 124.
- A supplement to the ordinance entitled "An ordinance to regulate the several markets within the city of Baltimore." Page 125.

- An ordinance appropriating a sum of money for improving the Centre Market. Page 126.
- A supplement to the ordinance entitled "An ordinance respecting the night watch and lamps in the city of Baltimore." Page 127.
- An ordinance to improve and repair the Hanover Market house. Page 128.
- An ordinance for making a further appropriation for the Health Department. Page 129.
- An ordinance to regulate the size and dimensions of bricks made within the city of Baltimore, or offered for sale within the same. Page 129.
- A supplement to the ordinance entitled "An ordinance to authorize the members of Federal Lodge No. 21, and the members of Masonic Washington Lodge, No. 3, to erect a building for public purposes, on the market square on Fell's Point, and to authorize the City Commissioners to remove the Fell's Point Market house from the place where it now stands to the middle of Market street." Page 130.
- An ordinance extending the time limited for the collection of the fifteen shilling tax imposed by an ordinance entitled "An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same." Page 131.
- An ordinance for the payment of the journal of accounts. Page 131.
- An ordinance for the relief of Charles Davidson. Page 132.
- An ordinance for the establishment of an hospital for the relief of indigent sick persons, and for the reception and care of lunatics. Page 132.
- An ordinance to repeal an ordinance entitled "An ordinance to regulate the size and dimensions of bricks made within the city of Baltimore." Page 134.

- An ordinance to regulate the inspection of firewood brought by land to the city of Baltimore for sale, and for other purposes therein mentioned. Page 134.
- A further additional supplement to the ordinance entitled "An ordinance to preserve the health of the City, and to prevent the introduction of pestilential and other infectious diseases into the same." Page 137.
- An ordinance for the admission and regulation of brokers. Page 138.
- An ordinance declaring certain duties and powers of the Mayor and Register. Page 141.
- An ordinance to regulate wagoners, carters, porters, draymen, watermen, hackney coaches, stages, and other carriages for hire within the city of Baltimore. Page 143.
- An ordinance to regulate the sinking of wells, and erecting and repairing pumps in the city of Baltimore. Page 147.
- A supplement to the ordinance entitled "An ordinance to regulate the several markets within the city of Baltimore." Page 150.
- An ordinance to continue a supplement to an ordinance for the inspection of salted provisions imported into and exported from the city of Baltimore. Page 151.
- An ordinance for the discharging of certain debts of the corporation. Page 152.
- An ordinance directing the manner of punishing servants, and slaves guilty of offences against the laws and ordinances of the corporation of the city of Baltimore. Page 152.
- An ordinance for the purpose of erecting a public wharf at the end of Bond street. Page 153.

- An ordinance for repairing that part of the road leading from the City to Josias Pennington's, on the east side of Jones' Falls, which has been damaged by a canal cut across the same by the late Special Commissioners. Page 154.
- An ordinance for the appointment of a superintendent for cleaning the streets, lanes and alleys in the city of Baltimore. Page 154.
- An ordinance respecting the licensing of certain officers. Page 156.
- An ordinance to prepare a scheme of a lottery for the year seventeen hundred and ninety-eight, to raise a sum of money for the use of the city of Baltimore. Page 157.
- A supplement to the ordinance entitled "An ordinance imposing a tax on the city seal, and regulating the fees of the Register's office." Page 159.
- An ordinance extending the time limited for the collection of the fifteen shilling tax imposed by an ordinance entitled "An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same." Page 159.
- An ordinance to further suspend so much of the ordinance entitled "An ordinance to regulate the cording of firewood within the city of Baltimore," as relates to the length of firewood brought to the said city for sale. Page 160.
- An ordinance respecting the lower bridge on Jones' Falls, in the city of Baltimore. Page 161.
- A supplement to the ordinance entitled "An ordinance to preserve the navigation of the harbor of Baltimore, and to provide for the exercise of the powers heretofore vested in the Port Wardens by Act of Assembly. Page 162.

- An ordinance to appoint a City Constable.
Page 162.
- An ordinance to continue an ordinance empowering the Mayor to rent a magazine for the storing of gunpowder, and employing a keeper thereof, and for regulating the sweeping of chimneys within the city of Baltimore.
Page 164.
- An ordinance for opening, amending and repairing John street.
Page 164.
- An ordinance to continue an ordinance empowering the Mayor of the city of Baltimore to grant licenses for the purposes therein mentioned.
Page 164.
- An ordinance to impose a tax on the real and personal property within the city of Baltimore, and to provide for the collection of the same.
Page 164.
- An ordinance to regulate the inspection of lumber.
Page 167.
- An ordinance directing the appropriation of certain sums of public money for the use of the City.
Page 172.
- An ordinance regulating the gauging of casks in the city of Baltimore.
Page 173.
- A supplement to the ordinance entitled "An ordinance to restrain gaming, and to license and regulate theatrical and other public exhibitions, within the city and precincts of Baltimore."
Page 175.
- An ordinance supplementary to the ordinance entitled "An ordinance to prevent the exportation of flour not merchantable, and for other purposes therein mentioned."
Page 175.
- An ordinance supplementary to the ordinance entitled "An ordinance directing the appropriation of certain sums of public money, for the use of the city of Baltimore."
Page 176.

- An ordinance for the payment of the journal of accounts. Page 177.
- An ordinance appropriating a certain sum of money for filling up the Centre Market space. Page 178.
- An ordinance to prevent carriages of pleasure from taking their stands in the streets on Sundays, waiting for hire. Page 179.
- An ordinance for the more effectual cleansing the gutters in the streets, lanes and alleys of the city of Baltimore. Page 179.
- An ordinance fixing the salary and compensation of the officers of the corporation of the city of Baltimore, and for the payment of the same. Page 180.
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LEGISLATIVE REFERENCE
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BALTIMORE, MD.