

II. Be it therefore enacted, by the right honourable the lord proprietary, by and with the advice and consent of his governor, and the upper and lower houses of assembly, and the authority of the same; That the said building shall be the market-house of the said town, and from and after the end of this present session of assembly, two days in every week, to wit, Wednesday and Saturday, shall be held as market days at the said market-house; and all victuals and provisions whatsoever, brought either by land or water, upon those or any other days of the week, to the said town for sale (except fish and oysters brought by water, all kinds of grain, flour, bread, butter in firkins or other vessels exceeding twenty pounds net, cheese, pork by the hog, beef or pork in the barrels or larger casks, live cattle, sheep or hogs,) shall be carried to the market-house of the said town, there to be sold at market hours, to wit, from any time in the morning to twelve at noon.

C H A P.
XXIII.
Market-house
established,
&c.

III. And be it enacted, That no inhabitant of the said town, or other person, shall buy, or cause to be bought, of any person or persons bringing, (and within one mile of the said town) or having brought therein any kind of victuals or provisions for sale (except as before excepted) either upon market days, or any other days of the week during market hours, at any other place whatsoever but at or in the aforesaid market-house, under the penalty of twenty shillings current money for every such offence.

Penalty on
persons buy-
ing,

IV. And be it enacted, That no person bringing or sending, or having brought or sent, any victuals or provisions to the said town 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 town, or within one mile thereof, at any other place during market hours, but at or in the aforesaid market-house, under the penalty of twenty shillings current money for every such offence. And if any servant or slave shall sell any victuals or provision contrary to the directions and meaning of this act, such servant or slave shall be punished by whipping on the bare back, at the discretion of any one justice for Baltimore county, provided such whipping do not exceed fifteen lashes for any such offence.

And on per-
sons selling
provisions out
of market.

V. And be it enacted, That the commissioners of Baltimore-town, or the major part of them, for the time being, shall assemble and meet, between the twentieth and the last day of this present December, and between the first and the tenth day of September yearly, and every year during the continuance of this act, and then nominate and appoint one of the inhabitants of the said town of Baltimore to be clerk of the said market for the year then next ensuing, whose power and authority as clerk shall continue for and during the term of one year.

Commission-
ers to choose
a clerk year-
ly.

VI. And be it enacted, That the clerk of the said market shall have power and authority to take the possession, care and charge, of the market and market-house aforesaid, during his continuance in office, and to inspect all provisions brought thereto for sale, and to destroy any he shall find and adjudge unsound or unwholesome; and also to try and adjust the weights and measures used at the said market, by standards to be provided and kept there by the commissioners of the said town for that purpose, and the same, when false or untrue, to seize and dispose of to the highest bidder, and shall pay the money arising from such sale to the said commissioners, to be by them applied to the use of the said town. And the clerk of the said market, unless prevented by sickness or other unavoidable accident or necessity, shall, and he is hereby required to attend in the said market, from the hour of five in the morning to the hour of eight during the months of April, May, June, July, August, September and October, and from the hour of seven to the hour of nine in the morning during the months of November, December, January, February and March. And if such clerk shall neglect or refuse to attend as aforesaid, he shall, for every such offence, forfeit and pay the sum of twenty shillings current money, to be recovered by the commissioners of the said town for the time being, before any justice for Baltimore county, to be paid to and applied by them to the use of the said town; and the said clerk may be removed and displaced by the commissioners of the said town for the time being at their pleasure and discretion.

His power.

VII. And