

containing a less quantity and inferior quality of biscuit, than is hereby directed, shall forfeit and pay the sum of five shillings for every keg so exported, or exposed to sale for exportation, contrary to the meaning and direction of this act; to be recovered and applied in the manner hereinafter provided and declared. 1789.

SECT. XI. *And be it further enacted by the authority aforesaid,* That all and singular the forfeitures and penalties in and by this act, or the act to which this is a supplement, set, declared, appointed and imposed, shall be, one-half thereof to the guardians of the poor in the city of Philadelphia, for the use and benefit of the poor of the said city, and the districts annexed thereto, and the other half thereof to the informer, or him, her or them, who will sue for the same, to his, her or their own use and benefit; and if the said forfeitures and penalties be under the sum of ten pounds, the same shall and may be sued for, and recovered in like manner as debts under ten pounds may be sued for and recovered within this commonwealth, or if the said forfeitures and penalties be above the said sum of ten pounds, the same shall and may be sued for and recovered by bill, plaint or information, in any court of record within this commonwealth, wherein no essoin, protection, or wager of law, nor more than one imparlance shall be allowed.

Forfeitures and penalties, how to be recovered and applied.

SECT. XII. *And be it further enacted by the authority aforesaid,* That so much and no more of the said recited act, entitled "An act more effectually to prevent unfair practices in the packing of beef and pork for exportation," passed the said eighteenth day of August, in the year of our Lord one thousand seven hundred and twenty-seven, as is by this act altered, or supplied, be, and the same is hereby, repealed, annulled, and made absolutely void, any thing therein contained to the contrary thereof, in any wise, notwithstanding.

Repeal of so much of the former as is affected by this act.

Passed 12th March, 1789.—Recorded in Law Book No. III. page 472.

CHAPTER MCCCLXXXVII.

An ACT in aid of the Callow-hill Market, in the township of the Northern-Liberties.

SECT. I. WHEREAS the holding of open market at a fixed and known place, where buyer and seller may at stated times meet together, has been found by long experience to be beneficial to both, not only by presenting before the buyer a greater choice as to kind and quality, according to his ability to purchase, but also by affording to the seller a better and more steady price for his provisions, according to their goodness and just value, and a more certain and expeditious sale thereof: And whereas convenient market-houses have, at a considerable expense, been erected in the township of the Northern-Liberties, in the county of Philadelphia, which by law are declared to be a public market-place for the buying and selling of all sorts of provisions, victuals, and things of the country produce and manufacture, and is commonly known by the name of Callow-

[Ante. page. 69, chap. 1015, and page 331, chap. 1159.]

1789. hill Market, and there hath been chosen a Clerk of the Market, to make assay of weights and measures, and to do and perform all things belonging to the office of a Clerk of the market, within the said township, and other officers tending to the good order thereof: And whereas the practice made use of in the said township by butchers and others, hawking, from door to door, meat, poultry, and other kinds of food for man, usually sold in the city of Philadelphia in open market, has, in great measure, defeated the good and salutary purpose for which the said market-houses were erected, and thereby those victuallers and others, who have hired stalls in and attended the said market-place, have become great sufferers: For remedy whereof,

SECT. II. *Be it enacted, and it is hereby enacted by the Representatives of the Freemen of the commonwealth of Pennsylvania, in General Assembly met, and by the authority of the same,* That, from and after the publication of this act, if any victualler or butcher, or other person, shall hawk from door to door, or by any means sell, or offer to sale, within the said township, any beef, veal, mutton, lamb, goat, kid, pork, cheese, butter, poultry, eggs, or other food for man, usually sold in the city of Philadelphia in open market, at any place or places other than in the said Callow-hill Market (vegetables only excepted) he or they shall forfeit double the value thereof, one-half of the said forfeiture to the use of the said market, to be paid to the Superintendants thereof, for the time being, and the other half thereof to the person or persons who shall prosecute within one month after the offence shall be committed.

Penalty on hawking meat, &c. in any other place than Callow-hill Market.

But this act not to prevent persons selling provisions in their own houses, &c.

Provided always, That nothing herein contained shall extend to any person selling within his or her own dwelling-house, or to any person, not a victualler or butcher, bringing any provisions aforesaid, from any distance greater than five miles from the said township; or to the selling, or offering to sale, while alive, any cattle, calves, sheep, lambs, goats, kids, or hogs; nor to any such sale made at a greater distance than two miles northward of the north side of Vine-street, in the city of Philadelphia.

Passed 18th March, 1789.—Recorded in Law Book No. III. page 480.

CHAPTER MCCCLXXXIX.

A SUPPLEMENT to the several acts of General Assembly respecting public Auctions and Auctioneers.

[See vol. 1, page 509, chap. 908, and the notes thereto subjoined.]

SECT. I. WHEREAS certain public auctions are by the laws of this commonwealth permitted and established for the sale of estates, real and personal, within the city of Philadelphia, the township of the Northern-Liberties, and the district of Southwark, under certain rules and regulations; and all other persons, than the Auctioneers duly appointed and licenced in pursuance of the said laws (except as in and by the said laws are excepted) are prohibited from selling at public auction within the said city, township or district, any estates, real or personal, under the pains and penalties in and by