

rick county; provided such whipping do not exceed fifteen lashes for any one offence. C H A P. IV.

V. And be it further enacted, That the justices of Frederick county aforesaid, in court sitting, shall, and they are hereby required, at their next November court, and at every November court yearly, during the continuance of this act, to nominate and appoint one of the inhabitants of the town of Frederick aforesaid, being a freeholder within the said town, to be clerk of the said market for the year then next ensuing; whose power and authority as clerk shall continue until the last day of November court succeeding such nomination and appointment. Justices to nominate a clerk annually.

VI. And be it further enacted, That the clerk of the said market, to be appointed, shall have sufficient power and authority to take care and charge of the market and market-house aforesaid, to inspect the provisions brought thereto for sale, and if any shall be found unsound or unwholesome to destroy the same. His power and authority.

VII. And be it further enacted, That the said clerk, so nominated and appointed, as aforesaid, shall have full power to rent or hire out, as well the stalls and shambles in the said market-house, as the rooms and apartments over the same. And the said clerk is hereby directed to keep a fair and just account of the profits arising from such rents, and also of all such fines and penalties he shall receive by virtue of this act, and apply the same, from time to time, to the use and benefit of the said town, according to the orders or directions of the justices of Frederick county for the time being; for all which services the said clerk shall be allowed, out of the public money belonging to the said town, at the discretion of the said justices, not exceeding the sum of twenty pounds per annum; and the said clerk may be removed and displaced by the said justices at their pleasure and discretion. Clerk to rent the stalls, and keep a fair account of the profits, &c. His salary.

VIII. Provided always, and be it enacted, That before any clerk, to be nominated and appointed as aforesaid, shall enter upon his office, he shall be obliged to take an oath before some justice of the peace for Frederick county, justly, truly and impartially, to perform the several duties required of him by this act, and the several oaths to the government appointed by law, and subscribe the oath of abjuration, and repeat and sign the test. Proviso.

IX. And be it further enacted, That in case of the death of any clerk of the said market, to be nominated or appointed by the justices of the said county court, immediately thereupon, or as soon as may be, any three or two justices shall nominate and appoint some other person, duly qualified as aforesaid, to be clerk, until the next county court then next ensuing, who shall have full power and authority, as clerk of the market in every case aforesaid. In case of death, justices to appoint some other person.

X. And be it further enacted, That every person, so nominated and appointed as clerk of the said market, shall, before he takes on himself the execution of the said office, enter into bond, with two sufficient securities, in the sum of one hundred pounds current money, payable to the lord proprietary, his heirs and successors, for the time being, with condition thereto, that he will well and faithfully discharge his duty, agreeable to the act of assembly, entitled, An act to establish a market in Frederick-town in Frederick county, and for the regulation of the said market, and will render to the justices of Frederick county a just and true account of all such monies as he shall receive by virtue of his office; and that he will pay and apply such monies so received, as the justices aforesaid, for the time being, shall order and direct. Person nominated to enter into bond.

XI. And be it further enacted, That it shall not be lawful for any person whatever, wilfully to lead, ride or drive, into the aforesaid market-house, any horse, gelding, mare or colt, or to kill or slaughter in the said house, any beast of the beef, sheep or hog kind, under the penalty of five shillings current money of this province for every such offence, to be received, paid and applied, in manner and form as in this act before directed. Offences here specified subject to penalty.

XII. And