

feitures that shall be incurred by virtue of this act, or the act to which this is a supplement, towards paying the clerk of the said market a salary not exceeding twenty pounds current money per annum, to be ascertained by a majority of the said commissioners, for the faithful performance of his duty, and to apply the residue, if any, in repairing the said market-house; and in case the said rents, arrearages, fines and forfeitures, shall not be sufficient for the purposes aforesaid, that then the said commissioners apply as much of the money to be levied on the taxable property of said town, in virtue of the said act of November, seventeen hundred and ninety-one, as will make up the deficiency.

C H A P. IX.

IV. AND, whereas the inhabitants of said town, as well as country people coming to the said market to sell provisions, labour under many inconveniencies on account of no regular market-hour being established for the said market to commence at, BE IT ENACTED, That the said commissioners are hereby empowered to ascertain and fix upon a proper hour or time to open the said market; provided, that one month's notice thereof be given by advertisement set up at the market-house, and that this act, and such notice, be also published the same length of time in the Washington Spy, in the English and German languages, before any person or persons shall be affected by the same, and the clerk of the market shall also give notice of the commencement thereof, each market-day, by ringing the market-house bell for ten minutes next before the time, and any person or persons that shall buy or sell any provisions, or other article brought to the said market for sale, (except as is excepted in the fourth section of the act to which this is a supplement,) before the ringing of the bell shall be over, shall forfeit respectively for the same the sum of ten shillings current money for each offence.

Time to be fixed, &c.

V. AND BE IT ENACTED, That the clerk of the said market shall be appointed by a majority of the said commissioners, and removeable by them at pleasure for misconduct or neglect of duty; and it shall be his duty to try, by standard, the weight of butter, and such other articles of provision as are generally brought to market made up at a stated weight, and if they shall be found deficient in weight, unsound or unwholesome, to seize and sell the same to the highest bidder, and to pay the money arising from such sale to the commissioners; and instead of seizing blown meat for the use of the prisoners in Washington county gaol, as is provided by the said act of seventeen hundred and eighty-three, the clerk shall seize and sell the same to the highest bidder, and pay over the price thereof to the commissioners; all which sums shall be by them applied as is directed by the third section of this act.

Clerk to be appointed, &c.

VI. AND BE IT ENACTED, That all fines, forfeitures and penalties, imposed by this act, or the act to which this is a supplement, shall be recovered by warrant, before any justice of the peace for Washington county, or of the county where the transgressor shall reside, with costs of warrant, in the name of the commissioners of Elizabeth-town; and it is hereby declared to be the duty of the clerk of the said market to take the trouble of recovering the same.

How fines are to be recovered, &c.

VII. AND BE IT ENACTED, That if any person or persons shall be sued for any thing done in virtue of this act, or the act to which this is a supplement, the suit shall be brought within six months from the commission of the act, and not afterwards; and the defendant or defendants, in any such suit, may plead the general issue, and give this act and the special matter in evidence.

Suits, when to be brought, &c.

VIII. AND BE IT ENACTED, That all such clauses and parts of the said acts of April, seventeen hundred and eighty-three, and November, seventeen hundred and ninety-one, and the supplement to this last act, as are inconsistent with or contrary to this act, be and the same are hereby repealed.

Part of several acts repealed.

C H A P. XI.

A Bill, entitled, An act for the relief of Walter Smith. Lib. JG. No. 2. fol. 8.

Passed 28th of Dec. 1793.

WHEREAS Walter Smith, of Montgomery county, hath represented to this general assembly, that he is now a languishing prisoner in Montgomery county gaol, for debts, which, from misfortunes, he is unable to pay;

Preamble.

II. BE IT ENACTED, by the General Assembly of Maryland, That the said Walter Smith be entitled to all the benefits of an act of assembly passed at November session, one thousand seven hundred and ninety-two, * entitled, An act for the relief of sundry insolvent debtors, on his making application to the chancellor, as by said act is directed and required, on or before the first day of April next, and

W. Smith entitled, &c.

* Chapter 67.