

Passed 30th of  
Dec. 1796.

A Supplement to an act, (a) entitled, An act to remove the market-house at the Head of Elk, and establish the same, and for the advancement and regulation of the said town. Lib. JG. No. 2. fol. 467.

(a) April, 1787, ch. 31.

Money to be  
levied, &c.

BE IT ENACTED, by the General Assembly of Maryland, That the commissioners of the town of Elkton, in Cecil county, shall have power to levy annually on the inhabitants of said town, in lieu of two shillings and six-pence authorized by the act to which this is a supplement, a sum not exceeding one dollar for every hundred pounds worth of assessable property in said town; and the said commissioners shall have power to appoint a person to collect said tax, who shall have the same power therefor as the collector of the county in the collection of the county tax; and said money shall be applied, at the discretion of the commissioners, to the general benefit of said town.

Power not to  
cease, &c.

II. AND, whereas by the act to which this is a supplement the inhabitants of said town are empowered to elect annually, on Easter Monday in each year, or as soon thereafter as convenient, seven commissioners for said town, AND BE IT ENACTED, That should the inhabitants of said town at any time neglect to make an election, in manner and time required by said act, the power of appointing such commissioners shall not thereupon cease, but the rights and power of the inhabitants of said town in that respect shall continue in the same manner as though such appointments had been duly made, and no neglect of said inhabitants heretofore in respect to appointing such commissioners shall be held to impair the rights and powers of the inhabitants of said town, but the laws relating to the regulations and police of said town shall thereafter be as full and perfect as if no neglect had ever taken place in respect to the appointment of such commissioners.

C H A P. XXXII.

An ACT for the preservation of the breed of fish in Patuxent river.  
Lib. JG. No. 2. fol. 468.

Preamble.

WHEREAS the breed of fish, especially of herrings, in Patuxent river, is extremely injured by the custom which prevails of whipping and beating the water with poles for the purpose of driving the fish, whereby the spawn of said fish is destroyed; in order to prevent the like improper practices in future,

Penalty on persons  
whipping  
the water, &c.

II. BE IT ENACTED, by the General Assembly of Maryland, That if any free person shall whip or beat the water in the river Patuxent, with poles or sticks, for the purpose of driving the fish in the said river, at any time between the first day of February and the first day of June in each year, during the continuance of this act, such person, so offending, shall forfeit and pay the sum of one hundred dollars, to be recovered by action of debt, or by bill of indictment, in any county court within this state, one half to the informer, the other half to the use of the county.

Slaves offend-  
ing to be pun-  
ished, &c.

III. AND BE IT ENACTED, That if any slave shall whip and beat the water in the said river as aforesaid, such slave shall be punished, for every such offence, on conviction thereof before any justice of the peace by the oath of one or more credible witness or witnesses, by whipping on his back, in the discretion of the said justice, not exceeding, for each offence, the number of ten lashes; provided always, that the master or mistress of said slave, or any other person, may redeem said slave, so convicted, from said punishment, by the payment of ten dollars, one half to the informer, the other half to be paid to the said justice, for the use of the county; and provided, that if such slave shall act as aforesaid by the order of his owner or employer, he shall not be subject to whipping as aforesaid, but the owner or employer giving the order shall be subject to the penalty of twenty dollars, to be recovered as aforesaid.

Justice to ac-  
count, &c.

IV. AND BE IT ENACTED, That every justice of the peace shall, at the levy court of his county, account for all sums of money received by virtue of this act, under the penalty of two hundred dollars.

Commence-  
ment, &c.

V. This act to commence on the first day of February next, and to continue and be in force till the twentieth day of October, one thousand eight hundred and two, and until the end of the next session of assembly which shall happen thereafter.

C H A P.