

C H A P.
XXXV.

be recovered, paid, and applied, as aforesaid. And, if any Servant or Slave shall presume to sell any Victuals or Provision, contrary to the true Intent and Meaning of this Act, such Servant or Slave shall be punished by Whipping on the bare Back, at the Discretion of one or more Justices of the Peace for *Baltimore* County, provided such Whipping do not exceed Fifteen Lashes for any one Offence.

Penalties now
to be recover-
ed.

VI. And be it further Enacted, That the Penalties in this Act mentioned, shall be recovered by, and in the Name of the Commissioners of the said Town, to be by them ordered to the Public Use and Benefit of the said Town.

Justices to
nominate the
Clerk at No-
vember Court
yearly.

VII. And be it further Enacted, That the Justices of *Baltimore* County aforesaid, in Court sitting, shall, and they are hereby required, at every *November* Court, yearly, and every Year, during the Continuance of this Act, to nominate and appoint one of the Inhabitants of the Town of *Baltimore* 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.

Clerk to take
Charge of the
Market, and
inspect Provi-
sions, &c.

VIII. 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 untound or unwholesome, to destroy the same, 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 at the next public Market Day, to the highest Bidder, and the Money arising from such Sale to appropriate to the Use of the said Town.

Clerk en-
abled to Rent
the Stalls,
&c.

IX. 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 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, he the said Clerk is hereby directed to keep 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 Commissioners thereof, 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 Commissioners, not exceeding the Sum of Thirty Pounds *per Annum*.

Clerk to take
an Oath of
Office.

X. 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 *Baltimore* 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.

Commission-
ers to make
the first Ap-
pointment.

XI. And whereas the Time by this Act prescribed and appointed for the Choice of the said Clerk, is already elapsed, and the Inhabitants of the said Town of *Baltimore* labour under daily Inconveniencies for want of the Regulations hereby made, Be it also Enacted, That the Commissioners of the said Town, or the major Part of them, may, and are hereby impowered and required, on the First Day of *January* next, to nominate and appoint one of the Inhabitants of the said Town, being a Freeholder, within the said Town, to be Clerk of the said Market for the Year ensuing, and until the last Day
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