

C H A P.
XVII.

the same manner as other county charges are by law collected; and the said sum of money shall be paid by the said collector to the commissioners for the time being for building a court-house and prison in Queen-Anne's county, who are hereby authorized and directed to receive and apply the same to the uses and purposes of building a prison in the said county on the ground appropriated by law for that purpose.

To be paid to
the commis-
sioners.

III. And be it enacted, That the collector shall pay the said sum of money to the commissioners, or their order, or to the order of a majority of them, on or before the twentieth day of October, seventeen hundred and ninety-eight, and in default of payment at that time, the said commissioners may order a copy of the said collector's bond to be filed in the clerk's office of the county court, and thereupon a common *capias ad respondendum* shall issue, and judgment or trial be had at the first court to which the *capias* is returnable, without any imparlance or delay.

Two apart-
ments to be
laid off, &c.

IV. And be it enacted, That the said commissioners, or a majority of them, in planning and directing the building of the said gaol, shall lay off two apartments and a cellar, and reserve and appropriate the same to the residence of the keeper of the said gaol; and the said commissioners, as soon as the said building shall be completed, shall return a fair and faithful account of their proceedings and expenditures to the justices of Queen-Anne's county court, and the same shall be deposited and filed among the original papers belonging to their office.

Sheriff to ap-
point a gaoler,
&c.

V. And be it enacted, That after the completion of the said gaol the Sheriff of Queen-Anne's county shall, within one month thereafter, nominate and appoint a discreet and judicious person to be gaoler, or keeper of the said gaol, who, on his acceptance of the said office, shall qualify himself to hold the same; by taking an oath, or affirmation, before some two justices of the peace for Queen-Anne's county, that he will well and faithfully keep all prisoners who shall be committed to the gaol of Queen-Anne's county, and that he will in all respects truly and honestly demean himself in his office of keeper of the said gaol, without prejudice, affection, malice, hatred or partiality, so long as he shall continue in the said office; and also by entering into a recognizance before the said justices, with two sufficient sureties, in the sum of four hundred dollars, in the usual form, with the condition thereto, "that if the said A. B. do and shall well and faithfully execute and perform the office of keeper of the gaol of Queen-Anne's county, and find and provide wholesome and sufficient victuals for all and singular the prisoners who shall be committed to the said gaol, and keep the several apartments in the said gaol clear and free from all manner of filth, and not suffer or permit loose, idle or disorderly persons to frequent the said gaol, or remain about the same, and do and shall in all respects faithfully demean himself in the said office, without favour, partiality or prejudice, then the said recognizance to be void and of no effect, otherwise to remain in force;" and the person so appointed and qualified shall remain in office during good behaviour, removable by the Sheriff of Queen-Anne's county, or by a presentment of the grand inquest for the body of Queen-Anne's county, and conviction of misconduct in the county court thereon, after hearing and determining upon the charges alleged against him, and the evidence concerning the same; and whenever a vacancy shall happen in the said office, it shall be lawful for the said Sheriff to proceed forthwith to the appointment and qualification of another gaoler, in the manner herein before directed.

His duties.

VI. And be it enacted, That in addition to the duties imposed by the laws of this state upon all gaolers, it shall be the duty of the keeper of the said gaol to receive and provide for all manner of persons who shall be committed to the same according to law, and to be obedient to the mittimus of the Sheriff of the said county in those cases wherein the said Sheriff hath a power to confine by virtue of process, or pursuant to the laws of this state; and the said keeper, besides the perquisites and fees allowed him by the Sheriff of the county, shall, as keeper of the gaol, be moreover entitled to a residence in the said