

manufacturer of the same, unless such person or persons shall occupy some place or stand in some of said market houses; *Provided*, such person or agent be not a resident of the said city.

637. If any clerk of the market, or any other person or officer appointed by or under the authority of the mayor and city council, shall demand, receive or collect any tax or other charges from any person or persons attending the markets of said city as provided in the last preceding section, who shall be standing in the open streets, and who do not occupy any place or stand in the market, he shall be liable to a fine of twenty dollars for each offence, to be recovered before any justice of the peace as small debts, one-half to the informer and the other half to the State.

638. The mayor and city council may lease, sell or dispose of the stalls and stands in any market, in any manner and for any term they may think proper.

639. The mayor and city council may contract for, purchase, lease and hold, to them and their successors, in fee simple or for a term of years, renewable from time to time forever, any lands, tenements and their appurtenances in the vicinity of any market, or for the purpose of extending the same.

640. They may agree with the owners of any land, or other property which they may deem it expedient to purchase and hold, for the purpose of extending any market, and if they cannot agree, or if there be any incapacity in the owners to contract in relation thereto, or if such owners be unknown or out of the State, any justice of the peace for said city, on application of the mayor and city council, may issue his warrant to the sheriff of said city, commanding him to summon from the said city a jury of twenty freeholders, inhabitants of said city, not related to the owners or persons interested in the real estate or other property, to meet on the premises on some certain day to be named in said warrant, of which said warrant and the day therein named for the meeting of the jury five days' notice shall be given previous to such day by the mayor and city council to every owner or person interested, and left at his place of abode.

641. If any infant or lunatic or feme covert be the owner in whole or in part of the property subject to be condemned, the notice shall be given to his or her guardian, trustee, committee or husband, as directed in the preceding section.