

C. H. A. R.
LXVI.

conveniently may be, and nominate and appoint another qualified person to be the clerk of the said market for the remainder of the year.

Who shall take
an oath, &c.

XVIII. AND BE IT ENACTED, That every person to be appointed clerk of the said market as aforesaid, before he shall proceed to act as such, shall take an oath, or affirmation, before the said commissioners, that he will diligently and faithfully, according to the best of his skill and judgment, execute and perform the several duties of clerk of the said market without favour, affection or partiality, and that he will not, directly or indirectly, demand or receive any fee or reward for performing such duties, but what is or shall be allowed by law; and the said oath, or affirmation, shall be administered by the said commissioners, or any one of them, and the taking thereof be entered among their proceedings.

His powers.

XIX. AND BE IT ENACTED, That the clerk of the said market shall have sufficient power and authority, at all times thereafter, to take care and charge of the said market-house, and of the market thereof, and to examine and inspect the victuals and provisions brought thereto for sale; to examine and try the weight of any butter brought to the said market, previously made up in prints or parcels, and if the same shall not be found of the weight pretended by the person offering the same for sale, to seize and appropriate the same to the use of any prisoners who may then be in the county gaol, or if there be no such prisoners, to the use of the poor-house, and if any shall be found unbound or unwholesome, to seize and destroy the same; and also to try and adjust the scales, weights and measures, used at the said market, by the standards of the county, and if any weights or measures shall be false or untrue, to seize the same, and on a just alteration thereof to dispose of the same at public sale to the highest bidder, and to account for the money arising from those sales with the said commissioners; and if any person shall think himself aggrieved by any seizure made by the clerk of said market, he may appeal within three days to the commissioners of said town for redress, or any one of them, and he or they shall have power and authority to make such order therein as they may deem just and proper.

Market-house
rented, &c.

XX. AND BE IT ENACTED, That the said market-house, and the stalls, shambles, issues, and appertinances thereof, shall be and the same are hereby vested in the said commissioners, and their successors, for the use and in trust for the benefit and advantage of the inhabitants of the said town; and the clerk of the said market shall have full power, under the direction of the said commissioners, to rent and hire out the stalls and shambles of the said market-house upon the best terms, and to keep a fair and just account, as well of the persons renting as of the profits arising from such rents, and to render duplicates of such accounts to the said commissioners annually on the first Monday of April, or oftener if he shall be required; and the said rents and profits shall be paid to the order of the said commissioners, and be applied to the uses directed by this act; and in default of payment, the same shall be recovered, in the name of the said commissioners, of any tenant or person refusing or delaying to pay the same, by the warrant of a justice of the peace, as in the case of recovering small debts before a magistrate; and the clerk of the said market shall be allowed a reasonable compensation for his services, not exceeding the sum of fifteen pounds current money by the year, to be ascertained by the said commissioners, and to be proportionably assessed and levied upon the inhabitants and owners of property in the said town, according to the respective valuations herein before directed to be made.

No person to
raise geese, &c.

XXI. AND BE IT ENACTED, That it shall not be lawful for any person or persons to keep or raise any geese or swine within the limits of said town, except in pens or other enclosures; and if any geese or swine shall be found going at large within the limits of said town, it shall be the duty of the bailiff of said town, upon the information of any of the inhabitants thereof, or upon his own view, to distrain and seize all and every such geese or swine, and to secure the same in some common pound, to be provided by the said commissioners for that purpose; and all and every such geese or swine, so seized and secured, shall, if the property of any person or persons residing within the limits of said town, or within one mile thereof, be forfeited for the benefit of said town, and sold at public sale by the bailiff, to the highest bidder, and the money arising from the sale thereof, (except the sum of six-pence for every goose and the sum of one shilling and six-pence for every hog, to be retained by the said bailiff for his trouble,) shall be accounted for and paid by the said bailiff to the commissioners of the town; and if the said geese or swine be the property of any person or persons residing without the limits aforesaid, such owner or owners shall forfeit and pay to the bailiff the sum of one shilling per day for every goose, and the sum of five shillings per day for every hog, so seized and secured as aforesaid, and in case of refusal, the said geese or swine shall be forfeited, and sold in the same manner, and under the same exceptions, as if they were the property of any person

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