

Buying and Selling again in the same Fair or Market of Cattle forbidden. §. 6.
See 3 & 4 E. 6. 19. Vide tit. Cattle. Cattle.

Touching sale of Horses in Fairs and Markets, and the duty of the Lord or Owner of the Fair thereabouts. See 2 & 3 P. & M. 7 and Tit. Horses, & §. 7. Horses.
31 El. 12.

That such as live in the Country, shall not sell divers Merchandises there named in Towns, except in open Fairs. See 1 & 2 P. & M. 7. But the Justice of Peace hath nothing to do therein. §. 8. Country.

For the Office of Clerk of the Market. See afterwards, Tit. Weights and Measures.

And because Justices of Peace have often to do with property, and how far it may be divested by sale in a Market Overt, it will be necessary to add some few Cases touching the same. §. 9. Rules.

1. *That in London, every day in the week, is a Market day, except Sunday, and a sale bona fide in a shop therein any day of the week, is good.* London.

2. *The sale in such a Shop must be of things proper to the Trade of the Shop-keeper, and so a sale of Plate in a Scripeners shop, is not good; and so of every other Trade.*

3. *If a sale be of Plate in a Goldsmiths Shop (where it is properly to be sold) it must be publickly and open: For if a Sale be there of Plate in an Inner-shop, or behind a Curtain, or a Cup-board, or the Windows be shut, or any thing else hides it; so that he that passes by, cannot see what is done there, it will not alter the property. All this was resolved H. 38. El. Co. 5. 83. Moors Rep. p. 360. Evcsq; de Worcesters Case. Moors Rep. p. 624.*

4. *If a sale in a Market Overt be covinous, or the party that buys the Goods knows they were stolln, this sale alters no property.* 33 H. 6. 5. Co. 3. 78.

5. *The King cannot Grant to one, that his Shop shall be a Market to alter the property of a strangers Goods, for it is against Law.*

6. *In a Market or Town where several things are sold in distinct places, the sale ought to be in every part of the Town, of what is there saleable, as Horses in Smithfield.* Moors Rep. 360.

7. *He that pleads a sale in Markets, must plead it to be done Pleno Mercatu, else it is not good.* Moors Rep. p. 360.

C H A P. LXIII.

Marriage.

11 Car. 2. c. 33. **A**LL Marriages made since One thousand six hundred forty and two, before any Justice of Peace, or otherwise confirmed and made good; and Issues upon Bastardies or otherwise touching the same, to be tried by Juries.

C H A P. LXIV. V. 34.

Mariners.

5 Eliz. 5. **N**O Fisherman using the Sea, shall be taken to serve as a Mariner by the Kings Commission, but by the choice of two Justices of Peace next adjoining to the place where he is taken.

See more for Mariners, Tit. Rogue and Souldier.

C H A P.