

C H A P.
II.

act, or be rendered incapable of acting as aforesaid, by misbehaviour, removal or otherwise, the said justices, or the major part of them, shall, as soon as conveniently may be thereafter, meet together, and nominate and appoint another such person, as aforesaid, as clerk of said market for the residue of the said year.

Proviso.

IX. PROVIDED ALWAYS, AND BE IT ENACTED, That every clerk, so as aforesaid appointed shall, before he acts as such, take the following oath, or affirmation if a quaker, menonist or tunker, nicolite or new quaker, before some justice of peace for said county: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, that I will diligently and faithfully, according to the best of my skill and judgment, execute and perform all and singular the duties of clerk of said market, without favour, affection or partiality, and that I will not, directly or indirectly, receive any fee, or reward for doing the duties of clerk of said market, but what is or shall be allowed by law."

Clerk's duty.

X. AND BE IT ENACTED, That the clerk of the said market shall have sufficient power and authority to take care and charge of the said market and market-house aforesaid, to inspect the provisions brought thereto for sale, and, if any shall be found unsound or unwholesome, to destroy the same, and also to try and adjust the weights and measures used at the said market by the county standards, and the same, when false or untrue, to seize and dispose of to the highest bidder, and the money arising from such sale to be applied as the other fines set by this act are appropriated.

May rent stalls,
&c.

XI. AND BE IT ENACTED, That the said clerk, so as aforesaid nominated and appointed, shall have full power to rent and hire out, as well the stalls and shambles in the said market-house, as the rooms and apartments that now are, or hereafter may be, made over the same, and a fair and just account of the profits arising from such rents the said clerk is hereby directed to keep, and apply the same from time to time, under the directions of the said court, to the like uses as the fines set by this act are directed to be applied; and the said clerk shall be allowed, at the discretion of the said court, a sum not exceeding twenty pounds, to be levied upon the inhabitants and proprietors of property in the said town by equal assessment, and to be collected as county charges are.

Justices to ap-
point weighers
of hay, &c.

XII. AND, whereas great complaints are made of frauds practised in the sale of hay and wood brought to the said town, BE IT ENACTED, That the justices of the orphans court for Kent county, or the major part of them, shall meet and assemble at the court-house of the said county, on or before the first day of January, in the year one thousand seven hundred and eighty-five, and yearly and every year thereafter in the month of October in such year, and there nominate and appoint any number of persons not exceeding three, of good repute and skill, to be weighers of all hay, and wood-corders of all firewood, that shall be brought to and sold within the said town; and in case any of the said officers, so appointed, shall die, resign, or refuse to act, or be rendered incapable of acting or serving as aforesaid, by misbehaviour, removal or otherwise, the justices of the orphans court, or the major part of them, shall, as soon as conveniently may be thereafter, meet together, and nominate and appoint another such person as aforesaid, in the room of him so dying, resigning, or refusing to act, or rendered incapable of acting or serving as aforesaid, for the residue of the year to come.

Their oath.

XIII. AND BE IT ENACTED, That every weigher of hay and wood-corder shall, before he acts as such, take the following oath, or affirmation, (if a quaker, menonist or tunker, nicolite or new quaker,) before some justice of the peace: "I, A. B. do swear, or solemnly, sincerely and truly declare and affirm, that I will, when required, well and truly, according to the best of my skill and judgment, weigh all hay, and cord all wood, without any fear, favour, affection, malice or partiality whatever, to the buyer or seller, and that I will not, willingly or wittingly, charge, ask, take, receive, exact or demand, any other or larger fee or reward, for doing my duty, than what is allowed by law."

Firewood to be
corded, &c.

XIV. AND BE IT ENACTED, That from and after the first day of January next, all firewood brought to and offered for sale in the said town, whether by land or water, shall be set up, corded and measured, by some wood-corder appointed as aforesaid, and that each cord of wood shall be eight feet in length, four feet in breadth, four feet in height, and well stowed and close packed; and that the said wood-corder, for his trouble in cording and packing the same, shall have and receive the sum of six-pence current money for each cord, the one half to be paid by the buyer, the other half by the seller.

By November, 1792, ch. 49, the whole is to be paid by the seller.

XV. AND