

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.

Dec Ses 1817.

Powers of clerk.

9. *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 the poor-house of said county, and if any shall be found unsound 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.

House, &c.
vested in commissioners &c.

10. *And be it enacted*, That the said market-house, and the stalls, shambles, issues, and appertenance 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 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.

Part of an act repealed.

11. *And be it enacted*, That the eleventh section of the act to which this is a supplement, passed at December session eighteen hundred and fifteen, chapter seventy-three, and the supplement to said act passed at December session eighteen hundred and sixteen, chapter one hundred and thirty-five, be and the same are hereby repealed.