ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

****

Cap. cxxxviii.

An Act for establishing a Market and Fair in the Borough of *Avon* otherwise *Aberavon* in the County of *Glamorgan*. [14th *August* 1848.]

WHEREAS there is no established Market Place or Place for holding Fairs for the Sale of Horses, Cattle, or other Live Stock, Provisions, or agricultural Produce in or for the Town and Borough of *Avon* otherwise *Aberavon* in the County of *Glamorgan*, but the Sale thereof is carried on in the Streets, and in other Places inconvenient for that Purpose in or about the said Town and Borough: And whereas the Right Honourable *George* Earl of *Jersey* hath agreed with the Portreeve, Aldermen, and Burgesses of the said Town and Borough to convey to them, by way of free Gift, certain Lands, Tenements, and Hereditaments situate in the said Town and Borough, and particularly described in the Schedule (A.) to this Act annexed, and the Site whereof is convenient for the Erection of a Market Place and Place for holding Fairs for the said Town and Borough: And whereas it would be highly advantageous to the Inhabitants of the said Town and Borough and Neighbourhood if the said Portreeve, Aldermen, and Burgesses were empowered to erect a Market Place and Place for holding Fairs on the Site of the said Lands, Tenements, and Hereditaments so agreed to be conveyed to them by the said

George Earl of *Jersey* as aforesaid, and to establish a Market and Fair in such Places, under proper Rules and Regulations; but the Purposes aforesaid cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That "The Markets and Fairs Clauses Act, 1847," shall be and the same is hereby incorporated with this Act, except so far as the same is inconsistent with or is expressly varied or altered by this Act.

Incorporation of 10 & 11 Vict. c. 14.

Incorporation of Part of 10 & 11 Vict. c. 16.

II. And be it enacted, That all the Provisions of "The Commissioners Clauses Act, 1847," except the Provisions with respect to the Qualification of Commissioners, and with respect to the Election and Rotation of the Commissioners, where the Commissioners are to be elected by the Rate-payers or other like Class of Electors, and with respect to the Accounts to be kept by the Commissioners, shall be and the same are hereby incorporated with this Act, except so far as the same are inconsistent with or are expressly varied or altered by this Act.

Incorporation of 8 & 9 Vict. c. 18.

III. And be it enacted, That "The Lands Clauses Consolidation Act, 1845," shall be incorporated with and form Part of this Act, and the Provisions of the said Lands Clauses Consolidation Act shall be applicable to the Undertaking hereby authorized, except as herein-after mentioned.

Lands not to be taken without Consent.

IV. Provided always, and be it enacted, That nothing in this Act or in the said Lands Clauses Consolidation Act shall authorize the Undertakers to purchase, take, or use any Lands, unless with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof.

Construction of Acts.

V. And be it enacted, That this Act, and the Acts and Parts of Acts incorporated herewith, shall be read and construed as if the Words "Portreeve, Aldermen, and Burgesses of the Borough of *Avon* otherwise *Aberavon*" were inserted therein, instead of the Words "Commissioners" and "Undertakers" respectively wherever the same occur.

Short Title.

VI. And be it enacted, That in citing this Act in other Acts of Parliament, and in Deeds, Instruments, and legal and other Proceedings, it shall be sufficient to use the Expression "The *Aberavon* Market Act, 1848."

Limits of Act.

VII. And be it enacted, That the Limits of this Act shall be the ancient Borough of *Avon* otherwise *Aberavon* as the same existed and was bounded and defined previously to the passing of an Act passed in the Second Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to amend the Representation of the People in England and Wales.*

2 & 3 W. 4. c. 45.

VIII. And

Power to borrow Money.

VIII. And be it enacted, That it shall be lawful for the Undertakers to borrow on Mortgage of the Works, Stallages, Rents, and Tolls hereby authorized, and of any Lands and Hereditaments now belonging to the Undertakers, or on any of the aforesaid Securities, or on Bond, any Sum or Sums of Money not exceeding in the whole the Sum of Three thousand Pounds, and from Time to Time to pay off and reborrow the same or any Part thereof, but so as there shall not be due at any One Time under the present Power any greater Sum than Three thousand Pounds.

Power to make Market and Fair.

IX. And be it enacted, That, subject to the Provisions in this and the said incorporated Acts contained, the Undertakers, upon the Lands described in Schedule (A.) to this Act annexed, may construct a Market Place and Place for a Fair, with all necessary Buildings and Works, for the Sale of such marketable Commodities and Commodities sold at Fairs as are in the Schedule (B.) to this Act mentioned or referred to, and also a Market Place for the Sale of Cattle, and enter upon, take, and use such of the said Lands as shall be necessary for such Purpose.

Undertakers may provide Slaughter-houses.

X. And be it enacted, That it shall be lawful for the Undertakers to provide such Slaughter-houses as shall from Time to Time be sufficient for the slaughtering of Cattle for the Supply of the said Town and Borough and the Neighbourhood thereof.

Lands for extraordinary Purposes.

XI. And be it enacted, That the Lands to be taken or appropriated by the Undertakers for extraordinary Purposes shall not exceed Three Acres.

Time for Completion of Works.

XII. And be it enacted, That the said Market Place and Works shall be completed within Seven Years after the passing of this Act, and on the Expiration of such Period the Powers by this Act and the Act and Parts of an Act incorporated herewith given to the Undertakers for making the said Market Place and Works shall cease to be exercised, except as to so much of the said Market Place and Works as shall be then completed.

When Market or Fair opened, Cattle not to be sold in public Places.

XIII. And be it enacted, That after any Place hereby authorized to be made for holding a Market or Fair for the Sale of Horses, Cattle, and other Live Stock shall be open for public Use, every Person who shall sell or expose for Sale in any public Street, Place, or Way within the said Town or Borough any Cattle or other Live Stock specified in the Schedule (C.) to this Act annexed shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

When Market Place opened, Undertakers may remove Stalls, &c. from public Places.

XIV. And be it enacted, That after the Market Place hereby authorized to be constructed shall be opened for public Use it shall be lawful for the Undertakers, or any Person appointed by them under this Act, to keep Order in such Market Place, and for any Constable or Policeman to remove to any Place to be appointed by the Undertakers for this Purpose within the said Town or Borough any Cart, Booth, Stall, Stand, Bulk, Block, Tressel, or other Obstruction erected, placed, or used in any Street, Square, Road, Lane, Passage,

Passage, or other public Place within the said Town or Borough, for the Sale or Display of any of the Goods, Provisions, Articles or Commodities specified in the Schedule (B.) to this Act annexed.

Money in Court may be applied for Purposes of this Act.

XV. And be it enacted, That it shall be lawful for the Court of Chancery, upon the Petition of the Undertakers, to order that all or any Part of any Monies being for the Purchase of or in compensation for any Lands, or any Interest in Lands, belonging to the Undertakers, which, under the Provisions of any Act or Acts of Parliament, have or hath been or hereafter shall be paid into the Bank of *England* in the Name and with the Privity of the Accountant General of the Court of Chancery, to be placed to his Account there *ex parte* the Persons or Corporation paying the same, or to the Credit of the Parties interested in such Lands, and which are or shall be applicable under such Act or Acts to Purposes beneficial to the Undertakers, shall, to the Extent of the Interest of the Undertakers therein, be paid over to them, to be by them applied in like Manner as the Sums to be levied under the Authority of this Act are herein directed to be first and secondly applied, notwithstanding that any other Application of such Monies may be directed by such other Act or Acts of Parliament before mentioned: Provided always, that any such Petition shall not be presented until after the Undertakers shall have given to all Parties, if any, who shall at any Time after the passing of this Act have given to the Undertakers any Notice of a Claim by such Parties to such Monies or any Part thereof, not less than Fourteen Days Notice of the Intention to present such Petition; provided also, that no greater Sum or Sums of Money than Three thousand Pounds in the whole shall be ordered to be applied as aforesaid; provided also, that anything hereinbefore expressed shall not prejudice or affect the Right of any Party other than the Undertakers having or rightfully claiming any Interest in such Monies or any Part thereof.

Stallages to be taken for Markets and Fairs.

XVI. And be it enacted, That it shall be lawful for the Undertakers from Time to Time to demand and receive from every Person occupying or using any Stand, Stall, Shed, Pen, or Place in any Market or Fair, or Place for holding any Market or Fair, established under this Act, or bringing into any such Market, Fair, or Place any marketable Commodities specified in the Schedule (B.) to this Act annexed, such Stallages, Rents, and Tolls as the Undertakers shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule (B.) to this Act annexed.

Tolls to be taken for Cattle.

XVII. And be it enacted, That it shall be lawful for the Undertakers from Time to Time to demand in the Cattle Market from every Person bringing therein any Cattle or other Live Stock specified in the Schedule (C.) to this Act annexed such Stallages, Rents, and Tolls as the Undertakers shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule (C.)

Tolls for Slaughter-houses.

XVIII. And be it enacted, That it shall be lawful for the Undertakers to demand from any Person slaughtering or dressing Cattle in any Slaughter-house belonging to them such Tolls as are specified in Schedule (F.) to this Act annexed.

XIX. And

Tolls for weighing and measuring.

XIX. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Weighing Houses, or Places for weighing or measuring any Article sold in the Market Place, or Place for a Fair, by Weight or Measure, from Time to Time to demand such Tolls as the Undertakers shall appoint, not exceeding in any Case the Amount set forth in the Schedule (D.) to this Act annexed.

Tolls for weighing Carts, &c.

XX. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Machines for weighing Carts within the said Town or Borough to demand from the Person requiring the same to be weighed such Tolls as the Undertakers may appoint, not exceeding in any Case the Amount specified in the Schedule (E.) to this Act annexed; and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

Application of Monies arising from Tolls, &c.

XXI. And be it enacted, That all Monies arising from the Stallages, Rents, and Tolls to be levied or taken under the Authority of this Act, and from any Lessees or Mortgagees thereof, and other Property herein-after mentioned, shall be applied, firstly, in paying the Expenses of obtaining this Act and incident thereto; secondly, in making and maintaining the Market or Fair and Works connected therewith, and the Slaughter-houses so to be established or constructed as aforesaid, and in Payment of the Interest and Repayment of the Principal of all Monies borrowed on the Security of the said Works, Stallages, Rents, and Tolls; and the Residue of such Monies (if any) shall be retained by the said Portreeve, Aldermen, and Burgesses, and be applied by them as they shall think fit.

Damages to be levied by Distress.

XXII. And be it enacted, That all Damages, Costs, and Expenses which are by this Act, or any Act or Part of an Act incorporated herewith, directed to be paid, and the Amount of which shall not be disputed, may be levied by Distress; and any Justice, on Application, shall issue his Warrant accordingly.

Public Act.

XXIII. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

The SCHEDULES referred to in the foregoing Act.

SCHEDULE (A.)

All those Five Cottages now in the several Occupations of William Hopkin, Evan Jones, Evan Thomas, Morgan Williams, and Griffith Jones; and also all those Two Barns, Shed, Two Stables, Cowhouse, and Croft, now in the several Occupations of William Williams, Thomas Thomas, and Morgan Williams; and also all those Five Gardens now in the several Occupations of the said William Hopkin, Evan Jones, Evan Thomas, Morgan Williams, Griffith Jones, and Jenkin Thomas; all which said Cottages, Barns, Shed, Stables, Beast House, Croft, and Gardens are situate between Church Street and Water Street in the Parish of Aberavon within the said Town and Borough of Avon otherwise Aberavon.

SCHEDULE (B.)

Table of Tolls, Rents, and Stallage.

	£	s.	d.
Butchers.			
For every Butcher's Stall, not less than Ten Feet by Nine Feet, per Week - - - - - - - -	0	4	0
For every such Stall, for every Wednesday or Saturday - -	0	2	6
For every such Stall, for every other Day - - -	0	1	0
For the Carcase of every Bull, Ox, Steer, Cow, or Heifer, or any Part thereof, by any Person not occupying a Stall - -	0	1	0
For the Carcase of every Calf, Pig, Sheep, Goat, Lamb, or Kid, or any Part thereof, by any Person not occupying a Stall -	0	0	4
For every Sucking Pig, by any Person not occupying a Stall -	0	0	1
Fruit and Vegetables.			
For every Stall, Standing, or Place for laying down and exposing for Sale Fruit and Vegetables only, per Week - - -	0	2	0
For every such Stall, for every Wednesday or Saturday - -	0	0	9
For every such Stall, for every other Day - - -	0	0	6
Fishmongers.			
For every Fish Stall, per Week - - - - -	0	2	0
For every such Stall, for every Wednesday or Saturday - -	0	1	0
For every such Stall, for every other Day - - -	0	0	8
Shops.			
For every inclosed covered Shop for exposing to Sale manufactured Goods, Wares, or Merchandize, per Week - - -	0	8	0
For every such inclosed covered Shop, for every Wednesday or Saturday - - - - - - -	0	5	0
For every such inclosed covered Shop, for every other Day -	0	2	6

Poultry and Butter.

	£	s.	d.
For every Stall or Place (Three Feet Frontage), occupied by One Person, for exposing to Sale Poultry, Butter, Eggs, Cheese, Bacon, or any other Article of Provision usually sold in Poultry Markets (except Vegetables and Fruit), for every Wednesday or Saturday	0	0	3
For every such Stall, for every other Day	0	0	2

Hawkers.

For every Stall, Standing, or Place for the Sale of manufactured Goods, Wares, or Merchandize, Provisions, or any other Article not herein-before enumerated, per Week	0	5	0
For every such Stall, Standing, or Place, for every Wednesday or Saturday	0	2	0
For every such Stall, for every other Day	0	1	0

Sundries.

For every Bag of Potatoes, Carrots, Turnips, or other Vegetables, Apples, Pears, Plums, or other Fruit	0	0	1
For every Basket or Hamper of Potatoes, Carrots, Turnips, or other Vegetables, Apples, Pears, Plums, or other Fruit (such Basket not being more than Two Feet in Length, Fifteen Inches in Breadth, and Twelve Inches in Depth)	0	0	1
For every such Basket or Hamper of a larger Size	0	0	2
For every Waggon Load of Apples or Potatoes, or any other Vegetables	0	1	0
For every Hand Basket carried by a Person containing Fish, Poultry, Butter, Eggs, Vegetables, Fruit, or any other Article of Provision (such Basket not being more than Eighteen Inches in Length, Fifteen Inches in Breadth, and Seven Inches in Depth)	0	0	1
For every such Basket of a larger Size	0	0	2
For every superficial Square Foot of Ground used for selling or exposing to Sale, Goods, Wares, or Merchandize, or any other Article not herein-before enumerated	0	0	1
For every Tub, Barrel, or Cask of Salt Butter brought into the Market	0	0	1

The several Tolls, Rents, and Stallage before mentioned and specified to be payable and paid for and in respect of the Occupation or Use of any Stall, Standing Place, Bench, Compartment or Space of Ground, as well by the original Taker or Occupier thereof for a Part or Portion of the Day, in case he shall not occupy the same the whole Day, as also by any subsequent Taker or Occupier of the same for the Residue of any Part or Portion of the same Day.

SCHEDULE (C.)

Tolls for Cattle.

For every Horse, Gelding, or Mare, the Sum of	0	0	6
For every Colt, Filly, Foal, Mule, or Ass	0	0	3
For every Bull, Ox, Cow, Bullock, Steer, or Heifer	0	0	2
For every Calf, except a sucking Calf, the Sum of	0	0	1
For every Score of Sheep or Lambs, the Sum of	0	0	10
And so in proportion for any less or greater Number.			
For every Score of Swine, the Sum of	0	1	3
And so in proportion for any less or greater Number.			

SCHEDULE (D.)

Tolls to be taken in every Weighing House.

	£	s.	d.
For weighing —			
Every Hide, the Sum of	0	0	1
Every Lot of Tallow, the Sum of	0	0	1
Every Flitch of Bacon, the Sum of	0	0	$0\frac{1}{2}$
Every Skin, the Sum of	0	0	$0\frac{1}{2}$
Every Sheep, Lamb, or Calf, the Sum of	0	0	1
Every Pig, the Sum of	0	0	2
Every Bull or Steer, Cow or Heifer, the Sum of	0	0	4
And if weighed in Quarters or less Parts, for each Quarter or less Part the Sum of	0	0	1
For all other Articles sold in the Market or Fair, being not more than Twenty Pounds Weight, the Sum of	0	0	$0\frac{1}{2}$
Being not more than One Hundred Weight, the Sum of	0	0	1
For each additional Hundred Weight or Part of an Hundred Weight, the Sum of	0	0	1
For all Goods and Articles sold in the Market by Measure, for each Bushel, the Sum of	0	0	$0\frac{1}{2}$

SCHEDULE (E.)

Tolls for weighing.

For weighing any Waggon, the Sum of	0	0	6
For weighing any Cart, the Sum of	0	0	3

SCHEDULE (F.)

Tolls to be taken at the Slaughter-houses.

For every Bull, Cow, Ox, Bullock, Steer, or Heifer slaughtered or dressed in any Slaughter-house, the Sum of	0	2	0
For every Calf so slaughtered or dressed, the Sum of	0	0	9
For every Pig so slaughtered or dressed, the Sum of	0	0	8
For every Sheep or Lamb so slaughtered or dressed, the Sum of	0	0	6

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