ANNO DECIMO SEXTO & DECIMO SEPTIMO

VICTORIÆ REGINÆ.

****

Cap. lxxvii.

An Act for the Establishment or Improvement and Regulation of Markets and Fairs in the Borough of *Leominster*, and for other Purposes relating to the said Borough. [28th *June* 1853.]

WHEREAS there are not at present established in the Borough of *Leominster* in the County of *Hereford*, or the Suburbs thereof, any fit or sufficient Markets for the Sale of Live Cattle or other Live Stock, or of Corn, Hops, Fruit, Wool, Butter, Hay, Straw, Green Food for Cattle, Vegetables, or other Agricultural Produce, or of Eggs, Fowl, Fish, or such like Articles, in consequence of which the same are sold in the public Streets and open Places, to the great Inconvenience and Annoyance of the Inhabitants of the said Borough and of Persons resorting thereto: And whereas the Corporation of the said Borough are the Owners of the Markets and Fairs held within the said Borough, and entitled to hold the said Markets and Fairs, and to receive the Stallage, Rents, Duties, Tolls, Customs, Payments, Profits, and Emoluments arising in respect thereof: And whereas it would be a material Accommodation and Advantage to the Inhabitants of the said Borough

and to the Persons resorting thereto, and to all Persons interested in buying and selling therein, if the Markets within the said Borough were rendered more sufficient, fit, and convenient, and proper Rules and Regulations were made for the Government thereof: And whereas the Corporation are desirous that sufficient Markets should be provided and established within the said Borough: And whereas it would tend to prevent Disputes, and to establish Confidence between Buyers and Sellers in the said Markets, if proper and sufficient Means were provided therein for weighing and measuring all Things sold by Weight or Measure therein: And whereas it is expedient that the Corporation should be empowered to provide and manage such Markets, and also the Fairs held within the said Borough, and to take and demand such Rents and Tolls as are herein-after in that Behalf mentioned, and to apply the same in manner also herein-after mentioned: And whereas it is expedient that Powers should be given to the Corporation to pull down and remove the Town Hall and Court House now existing in the said Borough, and to erect a new Building to be used both as a Town Hall and Court House in a more convenient Place within the said Borough, and that such new Building so to be erected under the Provisions of this Act should be used for the general Purposes of this Act, and also for the same Purposes for which the existing Town Hall and Court House respectively are now used: And whereas it is expedient that the Corporation should be empowered to sell, mortgage, grant, or alienate their Lands, Tenements, and Hereditaments for the Purposes of this Act, subject to the Approbation of the Lords Commissioners of Her Majesty's Treasury, as herein-after provided; but the Purposes aforesaid cannot be effected without the Aid and 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, as follows; that is to say,

Incorporation of Acts.

I. That the several Acts of Parliament following, that is to say, "The Lands Clauses Consolidation Act, 1845," and "The Markets and Fairs Clauses Act, 1847," shall be incorporated with this Act.

Interpretation of Terms.

II. That in this Act the Word "Corporation" shall mean the Mayor, Aldermen, and Burgesses of the Borough of *Leominster* acting by the Council of the said Borough, and the Expression "Quarter Sessions" in the Acts incorporated herewith shall be construed to mean the Quarter Sessions for the County of *Hereford* holden at the City of *Hereford* in the said County, unless a Court of Quarter Sessions shall hereafter be granted to the said Borough, in which Case the Expression "Quarter Sessions" shall be construed to mean the Quarter Sessions for the said Borough.

III. That

III. That in citing this Act for any Purpose whatsoever it shall be sufficient to use the Expression "The *Leominster* Markets and Fairs Act, 1853." **Short Title.**

IV. That it shall be lawful for the Corporation to pull down and remove the existing Town Hall and Court House, and to erect and maintain a new Building on some convenient Site to be hereafter determined on by the Corporation, which said new Building may be used for the general Purposes of this Act, and also for all the Purposes for which the existing Town Hall and Court House, or either of them, now are or is or may be lawfully used. **Power to Corporation to pull down existing Town Hall, and erect a new one.**

V. That it shall be lawful for the Corporation to regulate and improve the Markets and Fairs holden or to be holden within the Limits of this Act, and from Time to Time to alter and change and extend the Days, Times, and Places for holding any of such Markets or Fairs, and to remove or discontinue the Use of any Market Places or Places for Fairs now used or at any Time to be used within the Limits of this Act, and generally to do all such Acts, Matters, and Things as they shall think necessary or proper for maintaining, regulating, and improving such Markets and Fairs, and for governing, regulating, improving, and enlarging the Market Places and Places for Fairs now used or at any Time to be used for the same respectively, and to erect and maintain all Stalls, Shops, Standings, Pens, Slaughter-houses, Weighing Houses, Buildings, Approaches, Sewers, Drains, Works, Conveniences, and Accommodations connected therewith and belonging thereto respectively, for the Benefit, Convenience, and Advantage of the said Borough and the Neighbourhood thereof and the Public at large; and the Corporation shall be the Undertakers for constructing and providing such new or additional Market Places and Places for Fairs as they shall think proper, together with all proper Works and Conveniences connected therewith and belonging thereto, and for managing and regulating the same, according to the Provisions of this Act and the Acts incorporated herewith; and that the Mayor for the Time being shall be the Clerk of the Markets. **Corporation to execute this Act.**

VI. That the Limits of this Act shall be co-extensive with the Limits of the Borough of *Leominster* as defined and settled by the Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales. **Limits of Act.** **5 & 6 W. 4. c. 76.**

VII. That the Clauses and Provisions of "The Commissioners Clauses Consolidation Act, 1847," with respect to the following Matters, (that is to say,) **Certain Provisions of 8 & 9 Vict. c. 16. incorporated with this Act.**

With

With respect to the Contracts to be entered into and the Deeds to be executed by the Commissioners,

With respect to the Appointment and Accountability of the Officers of the Commissioners,

With respect to Mortgages to be executed by the Commissioners, and Transfers of such Mortgages,

With respect to the making of Byelaws, and

With respect to the giving of Notices and Orders, and the Fifty-third Section with respect to providing Public Offices,

Shall be incorporated with this Act; and such Clauses shall apply to the said Markets and Fairs, and to the said Mayor, Aldermen, and Burgesses, or the Council on their Behalf, and shall be construed as if the Expression "the Mayor, Aldermen, and Burgesses" had been inserted therein instead of the Word "Commissioners," or where any Act is required or authorized to be done by or to a certain Number of Commissioners, as if the Word "Council" had been inserted therein instead of "that Number of Commissioners;" and in such Clauses the Expression "the Rates" shall for the Purposes of this Act mean the Stallages, Rents, and other Revenue to be derived by the Corporation from any Market or Fair.

Council may appoint Committees.

VIII. That the said Council may appoint out of their own Body from Time to Time such and so many Committees, consisting of such Number of Persons as they shall think fit, for all or any of the Purposes of this Act which in the Opinion of such Council would be better regulated and managed by means of such Committees, and may fix the Quorum of such Committees: Provided always, that the Acts of every such Committee shall be submitted to the Council for their Approval.

Quorum of Committee.

IX. That every Committee so appointed may meet from Time to Time and may adjourn from Place to Place, as they may think proper, for carrying into effect the Purposes of their Appointment; but no Business shall be transacted at any Meeting of the Committee unless the Quorum of Members (if any) fixed by the Council (and if no Quorum be fixed, Three Members,) be present; and at all Meetings of the Committee One of the Members present shall be appointed Chairman, and all Questions shall be determined by a Majority of the Votes of the Members present; and in case of an equal Division of Votes the Chairman shall have a casting Vote, in addition to his Vote as a Member of the Committee.

Treasurer and Clerk.

X. That the Treasurer and Town Clerk of the said Borough shall be the Treasurer and Clerk respectively for the Purposes of this Act.

XI. That

Accounts of Receipts and Disbursements to be kept, audited, and published.

XI. That the said Treasurer shall, in Books to be kept for that Purpose, enter true Accounts of all Sums of Money by him received and paid, and of the several Matters for which such Sums shall have been received and paid; and the Books of Account shall at all reasonable Times be open to the Inspection of the Mayor or any of the Aldermen or Councillors of the said Borough; and all the Accounts, with all Vouchers and Papers relating thereto, shall, in the Months of *March* and *September* in every Year, be submitted by the Treasurer of the Borough to the Auditors provided to be elected in pursuance of an Act passed in the Session of Parliament holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, and to such Member of the Council as the Mayor shall name in pursuance of the said last-mentioned Act, on the First Day of *March* in every Year, or in case of extraordinary Vacancy within Ten Days next after such Vacancy, for the Purpose of being examined and audited from the First Day of *September* in the Year preceding to the First Day of *March*, and from the First Day of *March* to the First Day of *September* in the Year in which the said Auditors were elected and named; and if the said Accounts shall be found to be correct the Auditors shall sign the same; and after such Accounts shall be so examined and audited in the Month of *September* in every Year the Treasurer shall make out in Writing and cause to be printed a full Abstract of the Account for the Year, and a Copy thereof shall be open to the Inspection of every Mortgagee and other Creditor of the Corporation by virtue of this Act, and to all the Ratepayers of the Borough, and Copies thereof shall be delivered to all such Persons applying for the same on Payment of a reasonable Price for each Copy.

5 & 6 W. 4. c. 76.

Not to affect Power to make Byelaws under 5 & 6 W. 4. c. 76.

XII. That nothing in this Act contained shall prejudice or affect the Power of the Corporation to make Byelaws under the said Act to provide for the Regulation of Municipal Corporations in *England* and *Wales*.

Corporation not to sell Lands without Consent of the Treasury.

XIII. That nothing in this Act contained shall extend or be construed to extend to enable the Corporation to sell, mortgage, grant, or alienate for the Purposes of this Act, without the Approbation of the Lords Commissioners of Her Majesty's Treasury or any Two of them, any Messuages, Lands, Tenements, or Hereditaments which they could not have sold, mortgaged, granted, or alienated without such Approbation before the passing of this Act, anything in this Act contained to the contrary notwithstanding; but if it shall happen that any Portion of the Lands enumerated in Schedule (A.) to this Act annexed, and taken by the Corporation under the Powers of this Act, shall not be required for the Purposes thereof, it shall be lawful for

the said Corporation to sell or dispose of the same as they may think proper, without such Approbation of the Lords of the Treasury as aforesaid.

Corporation may sell Property vested in them for the Purposes of the Act, with Consent of the Treasury.

XIV. And whereas the Corporation are Owners of Property both within and without the Borough, Part of which is in the Hands of the Corporation, or let from Year to Year, but the greater Part of which has from Time immemorial been let on Leases at small Rents for the Term of Ninety-nine Years, if Three Lives therein named should so long live, and in most of such Leases is contained a Covenant for Renewal thereof on Payment of a Fine certain upon the dropping in of any Life therein named, and where no such Covenant is contained therein the said Corporation have been accustomed to renew the same upon Payment of a Fine equal to Two Years improved Value of the Property: And whereas the Effect of such Leases has been to prevent the Tenants of the Property making such Improvements as they otherwise might and would have done, and many of the Tenants are now desirous of purchasing the Interest of the Corporation therein: It shall therefore be lawful for the said Corporation, subject to such Approbation of the Lords Commissioners of Her Majesty's Treasury as aforesaid, to sell the said Property so in their Hands, or let from Year to Year as aforesaid, to any Person or Persons who shall be willing to purchase the same, and to sell their Interest in the said Property so let on Lease as aforesaid to such of the Lessees respectively of the said Property as shall be willing to purchase the same, and in case of their Refusal to any other Person, and it shall be lawful for the Corporation and they are hereby required to apply the Proceeds thereof for the Purposes of this Act.

Power to borrow Money on Mortgage.

XV. That it shall be lawful for the Corporation, for the Purposes of this Act, from Time to Time to borrow at Interest on Mortgage or Bond, or otherwise, any Sum or Sums of Money not exceeding in the whole the Sum of Twelve thousand Pounds, and in the event of the same or any Part thereof being repaid, except by means of the Sinking Fund herein-after mentioned, and except so much of the said Sum of Twelve thousand Pounds as shall be repaid by means of the Monies arising from the Sale of the Property herein-before mentioned, to reborrow the same, and so *toties quoties*, but so nevertheless that there shall not be owing under this Act any more than the Sum of Twelve thousand Pounds in the whole at any one Time; and for securing the Repayment of the Monies so to be borrowed, with Interest, it shall be lawful for the Corporation to mortgage any Lands, Stallages, Rents, and other Revenue, or other Property vested in or belonging to or to be acquired by them under or by virtue of this Act, or otherwise howsoever, (or to assign over the Borough Rate,) as a Security for the Repayment of the Money so to be borrowed, together with

with Interest for the same: Provided always, that the Amount which it shall be lawful for the Corporation from Time to Time to borrow as aforesaid shall be reduced by the Amount of the Sum or Sums from Time to Time received from the Sale of their said Property, and such Sum or Sums so from Time to Time received as last aforesaid shall be applied in the first instance in paying off the Monies which shall have been borrowed under the Authority of this Act.

Corporation empowered to make Rates for the Purposes of the Act.

XVI. That it shall be lawful for the Corporation from Time to Time, and so often as they shall think necessary, to make a general Rate or Assessment for the Purposes of this Act under the Name of the "*Leominster* Markets and Fairs Rate," upon all the Tenants and Occupiers of the several Houses, Shops, Warehouses, and other Erections and Buildings, of whatever Description, already erected or which shall hereafter be erected or be situate within the Limits of this Act, and upon all Gardens, Lands, Tenements, and Hereditaments within the said Limits, according to the annual Value thereof, provided such Rate or Assessment do not exceed in any One Year the Sum of One Shilling in the Pound on such annual Value.

Mode of rating.

7 W. 4. & 1 Vict. c. 81.

XVII. That the Powers and Provisions of an Act passed in the Session held in the Seventh Year of the Reign of His late Majesty *William* the Fourth and the First Year of the Reign of Her present Majesty, intituled *An Act to provide for the levying of Rates in Boroughs and Towns having Municipal Corporations in* England *and* Wales, shall be applicable to the Rate or Rates authorized to be levied under this Act.

Arrears to be enforced by Appointment of a Receiver.

XVIII. That it shall be lawful for the Mortgagees of the Corporation to enforce the Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver in the event of the Principal Monies not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than One thousand Pounds in the whole.

Non-liability of Purchasers and Mortgagees for the Application of Money.

XIX. That no Person paying or advancing any Money under or by virtue of this Act shall be bound to inquire whether the same is hereby authorized to be so paid or raised, or to see to the Application thereof, or be in anywise answerable for the Misapplication or Nonapplication thereof or of any Part thereof.

Sinking Fund.

XX. That in order to discharge the Principal Money borrowed on Mortgage or Bond as aforesaid, the Corporation shall, every Year after the Expiration of Three Years from the passing of this Act, appropriate and set apart, out of the Stallages, Rents, and other Revenues

Revenues belonging to or to be acquired by them under or by virtue of this Act, One Thirtieth Part of the Sum so borrowed as a Sinking Fund, to be applied in paying off the Principal Monies so borrowed, and shall from Time to Time cause such Sinking Fund to be invested in the Purchase of Exchequer Bills or other Government Securities, and to be increased by Accumulation in the way of Compound Interest or otherwise, until the same shall be of sufficient Amount to pay off the Principal Debts to which such Sinking Fund shall be applicable, or some Part thereof, at which Time the same shall be so applied in paying off the same in manner herein-after provided.

Repayment of Mortgages.

XXI. That whenever the Corporation shall be enabled to pay off One or more of the Mortgages or Bonds which shall then be payable, but shall not be able to pay off the whole of the same Class, they shall decide the Order in which they shall be paid off by Lot among the Class to which One or more of the Mortgages or Bonds belong, and shall cause a Notice signed by their Clerk to be given to the Persons entitled to the Money to be paid off pursuant to such Lot, and such Notice shall express the Principal Sum proposed to be paid off, and that the same will be paid, together with the Interest due thereon, at a Place to be specified, at the Expiration of Six Months from the Date of giving such Notice.

Expenses of Sale and Mortgage.

XXII. That the Expenses of every such Sale or Mortgage shall be paid by the Corporation out of the Money raised by the same.

Publication of Advertisements.

XXIII. That any Advertisements to be published under the Provisions of this Act or any Act incorporated herewith shall be published by Insertion in any Newspaper published in the County of *Hereford*, and circulating within the said Borough.

Power to make new or additional Markets and Fairs.

XXIV. That, subject to the Provisions in this and the said incorporated Acts contained, the Corporation may, when and in such Manner as they shall think proper, improve, enlarge, and make more commodious and convenient for the Public the present Market Places and Places for Fairs, and also may, upon the Lands described in Schedule (A.) to this Act annexed, and upon any other Lands which the Corporation may purchase by Agreement with the Owners, Lessees, and Occupiers thereof, construct a new Market House or new Market Houses, and a Cattle Market, with all necessary Buildings, open Areas or Spaces, Works, Approaches, and Conveniences thereto, for the Exposure and Sale of such marketable Commodities and Cattle and Animals as are in Schedules (B.) and (C.) to this Act annexed respectively mentioned or referred to, and may enter upon, purchase, take, and use such of the said Lands and Houses and other Premises described in the said Schedule (A.)

as

as shall be deemed necessary for such Purposes and for other the Purposes of this Act: Provided always, that in the event of the Corporation requiring to purchase any Lands or Houses other than the Lands and Houses described in the said Schedule (A.) it shall not be lawful for them to purchase any such other Lands or Houses for any of the Purposes of this Act, unless by Agreement and with the Consent of the Owners, Lessees, and Occupiers thereof.

Corporation to give Notice of Completion of new Market Place, &c.

XXV. That after a new Market House or new Market Houses or a Cattle Market respectively shall have been constructed, under the Authority of this Act, the Corporation shall give One Month's Notice by Advertisement in such Newspaper as aforesaid, and also by Handbills signed by the Mayor and circulated through the said Borough, of the Completion of such new Market House or Market Houses or Cattle Market as aforesaid; and that from and after a Day to be fixed by the said Notice the Markets for supplying the Inhabitants with Butchers Meat, Corn, and Grain, and all other marketable Commodities, now held within the said Borough, shall be holden in the said new Market House or Market Houses; and if any Person shall, after such Notice as aforesaid of the Completion of such new Market House or Market Houses, sell or expose to Sale within the said Borough, except within the said new Market House or Market Houses, any Butchers Meat, Poultry, Vegetables, Corn, Grain, or any of the Commodities, Goods, or Merchandise enumerated in Schedule (B.) to this Act annexed, except as herein-after mentioned, and if any Person shall, after such Notice as aforesaid of the Completion of such Cattle Market, sell or expose to Sale within the said Borough, except within the Cattle Market, any of the Cattle or other Animals enumerated in Schedule (C.) to this Act annexed, every Person so offending shall for each and every such Offence, on Conviction before One or more Justice or Justices of the Peace for the said Borough, forfeit and pay any Sum not exceeding Forty Shillings: Provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent or hinder any Person from selling or exposing to Sale any marketable Commodities, Matters, or Things, or any Goods, Wares, or Merchandise whatsoever, in his or her own private Dwelling House, Shop, or usual daily Place of Business, or from selling or offering for Sale in his or her own Premises any of the Cattle or other Animals enumerated in Schedule (C.) to this Act annexed, or from selling or offering for sale any Wool, Hops, Corn, Grain, or Seeds on any Premises in his or their own Occupation in any Part of the said Borough; provided also, that nothing shall extend to prevent or restrain any Person from selling Fish, Poultry, Fruit, or Vegetables from Door to Door within the said Borough, on other than

than Market Days, subject to such Byelaws as shall be published for regulating the Markets under the Authority of this Act.

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

XXVI. After the new Market House or Market Houses or Cattle Market hereby authorized to be provided shall be opened for public Use, it shall be lawful for the Corporation, or any Person appointed by them under this Act, and for any Constable or Policeman, to remove to any Place to be appointed for this Purpose by the Corporation within the said Borough, any Cart, Booth, Stall, Stand, Bulk, Block, Tressel, or other Obstruction erected, placed, or used in any Street, Square, Road, Lane, Passage or other public Place within the said Borough, other than the said new Market House or Market Houses, for the Sale or Display of any of the Stock, Goods, Provisions, Articles, or Commodities specified in the Schedule (B.) to this Act annexed, and also to remove to such Place so to be appointed as aforesaid any of the Cattle or other Animals specified in Schedule (C.) to this Act annexed which shall be exposed for Sale in any Street, Square, Road, Lane, Passage or other public Place within the said Borough other than the said Cattle Market.

Corporation may provide Slaughter-houses.

XXVII. That the Corporation may erect and provide such Slaughter-houses as shall from Time to Time be sufficient for the slaughtering of Cattle for the Supply of the said Borough and Neighbourhood.

Lands for extraordinary Purposes.

XXVIII. That the Lands to be purchased or appropriated by the Corporation for the extraordinary Purposes mentioned in the said "Markets and Fairs Clauses Act, 1847," shall not exceed Three Acres.

Tolls to be taken for the Markets.

XXIX. That it shall be lawful for the Corporation from Time to Time to demand from any Persons occupying or using any Stand, Stall, Shed, Pen, or Place in the Market House or Market Houses to be constructed or provided under this Act, or Buildings or Ground connected therewith respectively, or erecting any Booth in any such Market House or Market Houses, or bringing into such Market House or Market Houses, or Buildings or Ground, any Commodities, Provisions, Articles, or Things specified or referred to in the Schedule (B.) to this Act annexed, or bringing into such Market Place any Caravan or Vehicle, such Tolls, Rents, Pickages, Standages, and Stallages as the Corporation shall from Time to Time appoint, not exceeding the several Tolls, Rents, Pickages, Standages, and Stallages specified in the same Schedule.

Tolls for the Cattle Market.

XXX. That it shall be lawful for the Corporation from Time to Time to demand in the Cattle Market to be constructed or provided under this Act, from any Person bringing into such Cattle Market any Cattle or other Animals specified in the Schedule (C.) to this

Act

Act annexed, such Stallages, Pennages, Standages, Rents, and Tolls as the Corporation shall from Time to Time appoint, not exceeding the several Stallages, Pennages, Standages, Rents, and Tolls specified in the same Schedule.

Tolls for Slaughter-houses.

XXXI. That after such Slaughter-houses shall be opened for public Use it shall be lawful for the Corporation to demand and take, from any Person slaughtering Cattle, Sheep, Swine, or Beasts within any such Slaughter-houses, such Tolls in respect thereof as they shall think proper, not exceeding the Tolls specified in Schedule (D.) to this Act annexed.

Tolls for weighing and measuring.

XXXII. 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 said Market Place by Weight or Measure from Time to Time to demand such Tolls as the Corporation shall from Time to Time appoint, not exceeding the several Tolls specified in the Schedule (E.) to this Act annexed.

Tolls for weighing Carts.

XXXIII. That it shall be lawful for the Person for the Time being appointed to attend the Machines for weighing Carts within the Limits of this Act to demand from the Person requiring the same to be weighed such Tolls as the Corporation shall from Time to Time appoint, not exceeding the several Tolls specified in the Schedule (F.) 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.

Tolls to be taken to be in discharge of ancient Tolls.

XXXIV. When and as soon as, but not before, any Market to be provided under this Act shall be opened for public Use, all the Tolls, Dues, and Customs now or heretofore collected or claimed by the Corporation shall cease and be absolutely extinguished, and in lieu and in consideration thereof, and of all other Charges whatsoever, now or heretofore made or claimed by the said Corporation, there shall be substituted the Rents and Tolls mentioned in Schedules (B.), (C.), (D.), (E.), and (F.) respectively to this Act annexed.

Power to lease Stalls, Standages, &c.

XXXV. That the Corporation may, if they shall think proper so to do, from Time to Time demise and let to any Person any Stalls, Shops, Standings, Pens, Weighing Houses or Machines, Slaughter-houses, Buildings, Rents, Stallages, Standages, Pickages, Pennages, Tolls, Duties, and Customs, or any of them, vested in or belonging to the said Corporation, from Year to Year, upon such Terms, and with such Security for Payment of the Rent reserved by the Lease thereof, as shall be agreed upon between the Corporation and the Person to whom such Lease shall be made.

XXXVI. That

Lessee not to assign Lease of Standings without the Consent of the Corporation.

XXXVI. That it shall not be lawful for the Lessee of any such Stall, Shop, Standing Place, Pen, Weighing House or Machine, Slaughter-house, Building, Rents, Stallage, Pickage, Pennage, Tolls, or Duties, his Executors and Administrators, to assign the same, without the Consent of the Corporation first had and obtained.

Application of Tolls.

XXXVII. That the several Rents, Stallages, Standages, Pickages, Pennages, Tolls, Duties, Customs, and Sums of Money which shall at any Time be received, collected, or recovered by the Corporation for or in respect of the said Markets and Fairs shall from Time to Time be paid to the said Treasurer, and by him applied and disposed of as the Council shall direct and appoint: Provided always, that, subject to the Payment of the Monies borrowed under the Authority of this Act, the Contribution in each and every Year to the Sinking Fund, as herein-before directed, shall be a primary Charge upon the Rents, Stallages, and other Revenues so received, collected, or recovered by the Corporation as last aforesaid.

Penalty for defacing or destroying Table of Tolls.

XXXVIII. That every Person who shall destroy, pull down, injure, or deface any Board put up or affixed for the Purpose of publishing any Table of Tolls, Stallages, or Rents, in pursuance of this Act, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay for the Restoration of such Board.

Cattle may be slaughtered in private Slaughter-houses.

XXXIX. That, notwithstanding anything herein contained, it shall be lawful for any Person to slaughter or cause to be slaughtered upon any Part of his own Premises wheresoever situate, not being a Shop or Place open or exposed to View from any Highway, Street, Passage, or public Place, any Cattle for Consumption by his own Family or Household only, and not for Sale; and that it shall be lawful for any Butcher or other Dealer in Meat to slaughter any Cattle in his own Slaughter-house, where the same is immediately adjoining his Shop, such Slaughter-house not being a Shop or Place opened to or exposed to View from any Highway, Street, Passage, or public Place, and that such Cattle shall be dressed in such Slaughter-house, and sold by Retail in the said Shop, or in the Market-house where Butchers Meat is sold, and not elsewhere within the said Borough.

No Cattle to be slaughtered in Shops opening into public Roads.

XL. That any Person who shall, after the providing of the said Slaughter-houses by the Corporation, slaughter any Cattle in any open Shop or open Slaughter-house adjoining any public Street or Place within the said Borough, shall be liable to a Penalty not exceeding Five Pounds for each Offence.

Mayor, &c., being Jus-

XLI. That it shall be lawful for the Mayor of the said Borough for the Time being, and for every Justice of the Peace having Jurisdiction

diction within the Borough, though a Member of the said Council, to act as a Justice of the Peace in all Matters relating to the Execution of this Act. Justices may act as such.

XLII. That the Justice by whom any Penalty shall be imposed under this Act shall, if he shall think proper so to do, award any Part, not more than Half thereof, to the Informer, and the Remainder shall be paid to the said Treasurer, and if no Part shall be so awarded to the Informer the whole of any Penalty shall be paid to the said Treasurer. Application of Penalties.

XLIII. Whereas the Inhabitants of the said Borough are entitled to resort to and use the Markets now held within the said Borough exempt from all Toll: Therefore, in the Market House or Market Houses and Cattle Market respectively to be constructed or provided in pursuance of this Act, the said Inhabitants, and all other Persons who heretofore were entitled to resort to and use the said Markets exempt from Toll, shall be entitled to resort to and use the same, and shall be liable to pay Two Thirds only of the Tolls which shall be levied on all other Persons not being such Inhabitants or other Persons entitled as aforesaid, either in respect of the Articles, Commodities, Cattle and other Animals which the said Inhabitants and other Persons entitled as aforesaid respectively are now and have heretofore been entitled to sell or expose for Sale free of Toll, or the Means used or Space occupied for exposing the same for Sale. Inhabitants, to pay Two Thirds of Tolls only.

XLIV. Provided always, That as to the Tolls to be paid by the Inhabitants of the said Borough and other Persons entitled as aforesaid, which are by this Act limited to Two Thirds only of the Tolls (which shall be levied on all other Persons not being such Inhabitants or other Persons entitled as aforesaid), the Sum of a Farthing shall be payable in lieu of any fractional Part of a Farthing in respect, not of each Toll, but upon the aggregate Amount of Tolls payable by each such Inhabitant or Person in any One Day. As to the Fractional Part of a Farthing.

XLV. In any Case in which the Corporation shall have purchased under the Authority of this Act any Lands or Premises which shall not be in their Opinion necessary for the Purposes of this Act, it shall be lawful for the Corporation to sell, dispose of, lease, or surrender the same or any Part thereof to such Person at such Times and in such Manner as they shall think fit. Corporation authorized to sell, lease, or surrender surplus Lands.

XLVI. That nothing in this Act or the Acts incorporated therewith shall prevent the hawking of Fresh-water Fish, or Milk, in any of the public Streets or Places of the said Borough, as heretofore. Hawking of Fresh-Water Fish and Milk not to be prevented.

Corporation may remove Pound.

XLVII. That it shall be lawful for the said Corporation to take down the Pound in which Animals found astray are confined, and to remove the same to some more convenient Situation in the said Parish or Borough.

Ancient Court of Record to be held in new Buildings.

XLVIII. Whereas an ancient Court of Record is held in the existing Court House of the said Borough: It shall be lawful for the Judge of the said Court of Record and he is hereby authorized and required to hold the said Court in the new Building proposed to be erected under the Powers of this Act as a Town Hall, when and so soon as the said Building shall be completed, and made fit and ready for the Reception of the said Court.

Saving Rights of Corporation.

XLIX. That, except as is in this Act expressly provided, nothing in this Act contained shall abridge, restrict, postpone, or otherwise prejudice or affect any Rights, Powers, or Interests now vested or which may at any Time or Times hereafter be vested in the Corporation, but the same shall be and remain in as full Force and Effect as if this Act had not been passed.

Saving Rights of the Lord of the Manor.

L. That nothing in this Act contained shall extend or be construed to extend in any way to change, lessen, diminish, alter, abridge, impeach, annul, prejudice, destroy, or affect any Rights, Privileges, Jurisdictions, Immunities, Rents, Tolls, Dues, Duties, or lawful Customs belonging, due, or in any wise appertaining to the Lords of the respective Manors within the said Borough and Parish, other than and except as regards the Restriction herein-before contained as to the holding the said Market in any other Place than the said new Market Place, when the same shall be completed.

Corporation not exempt from Provisions of 11 & 12 Vict. c 63.

LI. That this Act, or anything therein contained, shall not exempt the Corporation from the Provisions of the "Public Health Act, 1848," or of any General Act relating thereto or to the Subject Matter thereof which may pass during the present or any future Session of Parliament.

Expenses of Act.

LII. That all the Costs, Charges, and Expenses of preparing, applying for, obtaining, and passing this Act, or in any way incident or preparatory thereto, and all Monies which shall have been advanced, paid, or lent for or towards defraying any such Costs, Charges, or Expenses, shall be paid by the Corporation.

The SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

DESCRIPTION of LANDS which may be taken for the Purposes of the Act.

Parish of Leominster in the County of Hereford.

	Situation of Property.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
1.	High Street and Burgess Street	Dwelling House, Shop, Yard, and Warehouse.	Francis Davis - -	- - -	Francis Davis.
2.	Burgess Street	Dwelling House, Fold, Garden, and Warehouse.	Thomas Theophilus Davies.	- - -	Thomas Kay, John Preece, Richard Stone.
3.	High Street -	Dwelling House, Shop, Warehouse, and Yard.	Thomas Theophilus Davies.	- - -	Gilbert Wood.
4.	Burgess Street	Dwelling House and Yard.	Edward Lee James -	- - -	Ellen Savigar.
5.	High Street and Burgess Street	Dwelling House, Shop, Inn, and Brewhouse.	Thomas Beavan - -	- - -	James Noakes.
6.	High Street -	Dwelling House, Shop, and Yard.	The Trustees of the Institution called the Leominster Savings Bank, namely, John Arkwright, Esquire, Messieurs Edward Prichard Southall, Henry Milnes, Samuel Southall, James Bedford, Edwin Lloyd, Thomas Bristow Stallard, John Tertius Southall, William Newman, and John Southall.	- - -	Void.

The Leominster Markets and Fairs Act, 1853.

	Situation of Property.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
7.	High Street -	Dwelling House, Shop, and Yard.	The Trustees of the Institution called the Leominster Savings Bank, namely, John Arkwright, Esquire, Messieurs Edward Prichard Southall, Henry Milnes, Samuel Southall, James Bedford, Edwin Lloyd, Thomas Bristow Stallard, John Tertius Southall, William Newman, and John Southall.	- -	John Edwards.
8.	High Street -	Dwelling House and Savings Bank.	The Trustees of the Institution called the Leominster Savings Bank, namely, John Arkwright, Esquire, Messieurs Edward Prichard Southall, Henry Milnes, Samuel Southall, James Bedford, Edwin Lloyd, Thomas Bristow Stallard, John Tertius Southall, William Newman, and John Southall.	- - -	The said Trustees of the Institution called the Leominster Savings Bank.
9.	Burgess Street	Stables and Coach-house.	Hannah Burlton and Thomas Sale.	- - -	The Reverend William Robson Arrowsmith.
10.	Burgess Street	Stable - -	The same - - -	- - -	William Morris.
11.	Burgess Street	Dwelling House, Buildings, and Yard.	The same - - -	- - -	Elizabeth Smith.
12.	Burgess Street	Dwelling House, Buildings, and Yard.	The same - - -	- - -	Ann Palmer.
13.	Burgess Street	Stable Yard and Garden Ground.	John Philpotts - -	- - -	John Philpotts.
14.	Burgess Street	Occupation Road.	Hannah Burlton, Thomas Sale, Ann Cooke, Thomas Brayen, and Thomas Theophilus Davies.	- - -	Elizabeth Smith, William Morris, William Robson Arrowsmith, Francis Went, Thomas Brayen, James Spragg, Ann Cooke, and James Collins.
15.	Burgess Street	Occupation Road to Garden Ground.	The same - - -	- - -	George Tew, Edward Bird, Thomas White, George Hinton, Thomas Knill, James Cheshire, and Gilbert Wood.

The Leominster Markets and Fairs Act, 1853.

	Situation of Property.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
38.	Burgess Street	Dungpit and Land.	Hannah Burlton and Thomas Sale.	- -	Reverend William Robson Arrowsmith.
47.	Dishley Street	Dwelling House and Yard.	William Bateman, and Isaac Bateman and Mary Ann his Wife.	- -	Mary Ann Buckland.
48.	Dishley Street	Dwelling House and Yard.	The same - -	- -	Elizabeth Nottingham.
49.	Dishley Street	Dwelling House and Yard.	The same - -	- -	William Wall.
50.	Dishley Street	House. - -	The same - -	- -	Thomas Hinton and William Wall.
51.	Dishley Street	A Piece of Garden Ground.	The same - -	- -	Thomas Smith Nottingham.
52.	Dishley Street	Dwelling House and Yard.	The same - -	- -	The same.
53.	Dishley Street	Limehouse and Cabin.	The same - -	- -	The same.
54.	Dishley Street	A Piece of Garden Ground.	The same - -	- -	Benjamin Powell Bateman.
55.	Dishley Street	The like - -	The same - -	- -	Joseph Probert.
56.	Dishley Street	The like - -	The same - -	- -	John Evans.
57.	Dishley Street	The like - -	The same - -	- -	Richard Gardner.
58.	Dishley Street	The like - -	The same - -	- -	Isaac Woolley.
59.	Dishley Street	The like - -	The same - -	- -	James Hughes.
60.	Dishley Street	The like - -	The same - -	- -	Elizabeth Davis.
61.	Dishley Street	The like - -	The same - -	- -	Richard Evans.
62.	Dishley Street	The like - -	The same - -	- -	James Brimfield.
63.	Dishley Street	The like - -	The same - -	- -	Henry James Archibald.
64.	Dishley Street	Two Pieces of Garden Ground.	The same - -	- -	William Vicarage.
65.	Dishley Street	A Piece of Garden Ground.	The same - -	- -	Isaac Coake.
66.	Dishley Street	The like - -	The same - -	- -	William Thomas.
67.	Dishley Street	The like - -	The same - -	- -	Edward Jones.
68.	Dishley Street	The like - -	The same - -	- -	Thomas Pritchard.
69.	Dishley Street	Three Pieces of Garden Ground.	The same - -	- -	William Lawrence.
70.	Dishley Street	A Piece of Garden Ground.	The same - -	- -	John Nash.
71.	Dishley Street	The like - -	The same - -	- -	John Clift.
72.	Dishley Street	The like - -	The same - -	- -	Edwin Ludlow.
73.	Dishley Street	Three Pieces of Garden Ground.	The same - -	- -	George Sanders.
74.	Dishley Street	A Piece of Gar- Ground.	The same - -	- -	John Juson.
75.	Dishley Street	The like - -	The same - -	- -	John Minton.
76.	Dishley Street	The like - -	The same - -	- -	Robert Holloway.
77.	Dishley Street	The like - -	The same - -	- -	John Evans.
78.	Dishley Street	The like - -	The same - -	- -	Isaac Woolley, the younger.
79.	Dishley Street	The like - -	The same - -	- -	Thomas Clarke.
80.	Dishley Street	The like - -	The same - -	- -	Thomas Jones.
81.	Dishley Street	The like - -	The same - -	- -	Samuel Grist.

The Leominster Markets and Fairs Act, 1853.

	Situation of Property.	Description of Property.	Owners or reputed Owners.	Lessees or reputed Lessees.	Occupiers.
82.	Dishley Street	A Piece of Garden Ground.	William Bateman, and Isaac Bateman and Mary Ann his Wife.	- -	John James Saxby.
83.	Dishley Street	The like - -	The same - -	- -	James Wood.
84.	Dishley Street	The like - -	The same - -	- -	John Gurney.
85.	Dishley Street	A Piece of Ground and Stable.	The same - -	- -	James Pritchard.
86.	Dishley Street	Two Pieces of Garden Ground.	The same - -	- -	John Lloyd.
87.	Dishley Street	A Piece of Garden Ground.	The same - -	- -	Henry Powell and Elizabeth Powell.
88.	Dishley Street	The like - -	The same - -	- -	William Hall.
89.	Dishley Street	The like - -	The same - -	- -	Benjamin Vernalls the younger.
90.	Dishley Street	Nine Pieces of Garden Ground.	The same - -	- -	Sidney Anderson.
91.	Dishley Street	A Piece of Garden Ground.	The same - -	- -	Richard Archer.
92.	Dishley Street	The like - -	The same - -	- -	Walter Prosser.
93.	Dishley Street	The like - -	The same - -	- -	William Crump.
94.	Dishley Street	Four Pieces of Garden Ground.	The same - -	- -	George Powell.
95.	Dishley Street	A Piece of Garden Ground.	The same - -	- -	John Pendry.
96.	Dishley Street	The like - -	The same - -	- -	Joseph Phillips.
97.	Dishley Street	The like - -	The same - -	- -	William Ledster.
98.	Dishley Street	The like - -	The same - -	- -	Henry Morgan.
99.	Dishley Street	Dwelling House and Garden.	John Ker Hastings and Philip Jones.	- -	Henry Clement.
100.	Dishley Street	A Piece of Ground	William Bateman, and Isaac Bateman and Mary Ann his Wife.	- -	William Davis.
101.	Dishley Street and Sandpits	Orchard and Pasture Land.	The same - -	- -	Isaac Bateman.
102.	Dishley Street	Barns, Stables, Cyder Mill, Sheds, Cellar and Granary, Brick-kiln, and Land.	The same - -	- -	Isaac Bateman.

SCHE-

SCHEDULE (B.)

Schedule of Tolls, Rents, Pickages, Standages, and Stallages referred to and authorized to be taken in the Markets by this Act.

For every enclosed Shop, Stall, Standing, or Station used for Exposing for Sale Meat, Fish, or any other live or dead Victuals, Vegetables, Fruit, China, Glass, Earthenware, or other Goods, Articles, or Commodities:

	£	s.	d.
If taken by the Year, not exceeding the Sum of - - -	9	0	0
By the Half Year, not exceeding the Sum of - - -	5	0	0
By the Quarter, not exceeding the Sum of - - -	3	0	0

Butchers.

For every Butcher's Stall not less than Nine Feet by Eight Feet, per Week - - - - - - -	0	4	0
For every such Stall for every Tuesday, Friday, and Fair Day -	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	2	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	6
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	3	0
For every such Stall for every Tuesday, Friday, and Fair Day -	0	1	6
For every such Stall for every other Day - - -	0	0	6

Fishmongers.

For every Fish Stall per Week - - - - -	0	3	0
For every such Stall for every Tuesday, Friday, and Fair Day -	0	1	6
For every such Stall for every other Day - - - -	0	1	0

Shops.

For every enclosed covered Shop for exposing to Sale manufactured Goods, Wares, or Merchandise, per Week - - -	0	6	0
For every such enclosed covered Shop for every Tuesday, Friday, and Fair Day - - - - - - -	0	4	0
For every such enclosed covered Shop for every other Day - -	0	2	0

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Poultry and Butter.

	£	s.	d.
For every Stall or Stage (Two Feet Nine Inches 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 Tuesday, Friday, and Fair Day	0	0	6
For every such Stall, for every other Day	0	0	3

Hawkers.

For every Stall, Standing, or Place for the Sale of manufactured Goods, Wares, or Merchandise, Provisions, or any other Article not herein-before enumerated, per Week	0	5	0
For every such Stall, Standing, or Place, for every Tuesday, Friday, and Fair Day	0	2	
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, Nuts, or other Fruit	0	0	2
For every Basket or Hamper of Potatoes, Carrots, Turnips, or other Vegetables, Apples, Pears, Plums, Nuts, or other Fruit, such Basket not being more than Two Feet in Length, Fifteen Inches in Breadth, and Twelve Inches in Depth	0	0	2
For every Basket or Hamper of larger Size	0	0	3
For every Waggon Load of Apples or Potatoes or any other Vegetables	0	1	0
For every Cart Load of such Apples or Potatoes or other Vegetables	0	0	6
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	2
For every such Basket of a larger Size	0	0	3
For every superficial Square Foot of Ground used for selling or exposing to Sale Goods, Wares, or Merchandise, or any other Article not herein-before enumerated	0	0	2
For every Tub, Barrel, or Cask of Salt Butter brought into the Market	0	0	3
For every Hundredweight of Cheese brought into the said Market for Sale	0	0	3

And for less Quantity in proportion.

The several Tolls, Rents, and Stallages 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.

Hops and Wool.

	£	s.	d.
For every Pocket of Hops - - - - -	0	1	0
For every Pack of Wool of Two hundred and forty Pounds per Pack - - - - - - - -	0	0	6
And so in proportion for a greater or less Quantity.			
For every Hide of Leather - - - - -	0	0	4

SCHEDULE (C.)

Schedule of Tolls or Duties to be paid for Cattle, Horses, Sheep, and Pigs bought or sold alive or offered for Sale in the Cattle Market and Fairs.

For every Bull, Ox, Cow, Heifer, Steer, Sturk, or Bullock, not exceeding the Sum of - - - - - -	0	0	4
For every Horse, Mare, or Gelding exposed for Sale within any Part of the Borough, not exceeding the Sum of - -	0	0	6
For every Mule or Ass - - - - - -	0	0	3
For every Sheep or Lamb exposed for Sale, not exceeding the Sum of	0	0	2
For every Hog or Pig exposed for Sale, except Sucking Pigs, not exceeding the Sum of - - - - - -	0	0	2
For every Sucking Pig, not exceeding the Sum of - - -	0	0	1
For every Calf exposed for Sale, not exceeding the Sum of -	0	0	2

SCHEDULE (D.)

Slaughter-houses.

For every Bull, Ox, Cow, Bullock, Steer, or Heifer - -	0	1	0
For every Calf - - - - - - - -	0	0	6
For every Sheep or Lamb - - - - - -	0	0	3
For every Hog or Pig - - - - - - -	0	0	9
For every other Beast - - - - - -	0	1	0

SCHEDULE (E.)

Schedule of Tolls to be taken for weighing and measuring.

From every Person weighing or measuring any Hide, Skin, Sheep, Lamb, Calf, Hog or Pig, Bull, Ox or Cow, or other Animal, Commodity, Article, or Thing, in any of the Weighing Machines belonging to the said Mayor, Aldermen, and Burgesses:

	£	s.	d.
For every Hide, the Sum of - - - - -	0	0	1
For every Cwt. of Tallow, the Sum of - - - -	0	0	2
For every Flitch of Bacon, the Sum of - - - -	0	0	1
For every Skin, the Sum of - - - - -	0	0	1
For every Sheep, Lamb, or Calf, the Sum of - - -	0	0	1
For every Hog or Pig, the Sum of - - - -	0	0	2
For every Bull, Ox, Steer, Cow, or Heifer, the Sum of - -	0	0	6
If weighed in Quarters, for each Quarter the Sum of - -	0	0	2
For all other Articles sold in the Market, being not more than Twenty-eight Pounds Weight, the Sum of - - -	0	0	1
Being not more than One Cwt. the Sum of - - -	0	0	2
For each additional Cwt. the Sum of - - - -	0	0	2
For all Goods and Articles sold by Measure, for each Bushel or less Quantity the Sum of - - - - -	0	0	0½

SCHEDULE (F.)

Schedule of Tolls to be taken for Use of Weighing Machine.

	£	s.	d.
For weighing any Waggon, the Sum of - - - -	0	1	0
For weighing any Cart or other Carriage not weighing more than Two Tons, the Sum of - - - - -	0	0	6
If weighing more than Two Tons, the Sum of - -	0	1	0
For every Load of Hay, Straw, or other agricultural Produce not weighing more than One Ton, the Sum of - - -	0	0	6
For each additional Ton, or less Weight, the Sum of - -	0	0	6

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