ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

Cap. xcv.

An Act for establishing a Cattle Market at *Market Drayton* in the County of *Salop*.

[19th *June* 1865.]

WHEREAS the Sale of Cattle in the Markets and Fairs at *Market Drayton* in the County of *Salop* now takes place in the public Streets of that Town, and it would be of public Advantage if a Market Place were established for the Purpose of such Sale: And whereas certain Lands near the said Town are well adapted for a Cattle Market: And whereas Plans showing the said Lands, with a Book of Reference thereto containing the Names of the Owners and Lessees, or reputed Owners and Lessees, and Occupiers of the said Lands, have been deposited with the Clerk of the Peace for the said County: And whereas *Richard Corbet* Esquire, as Lord of the Manor of *Drayton*, demands and levies certain Tolls, Stallages, and other Duties in respect of the present Markets and Fairs held at *Market Drayton*, and it is expedient that the Company hereby incorporated be authorized to purchase the Interest of the said Lord of the Manor in such of the said Tolls, Stallages, and other Duties as are leviable in respect of Cattle, and that thereupon the same should be abolished, and the Tolls by this Act authorized be levied in their Stead: And whereas

the Persons herein-after named, with others, have agreed to form themselves into a Company for the Purposes of the Undertaking authorized by this Act: And whereas 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, as follows; (that is to say,)

Short Title.

1. This Act may be cited for all Purposes as "The *Market Drayton* Cattle Market Act, 1865."

8 & 9 Vict. cc. 16. & 18., 10 & 11 Vict. c. 14., 23 & 24 Vict. c. 106., and 26 & 27 Vict. c. 118. incorporated.

2. "The Markets and Fairs Clauses Act, 1847," "The Companies Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Act, 1845," "The Lands Clauses Consolidation Acts Amendment Act, 1860," and Part I. of "The Companies Clauses Act, 1863," are incorporated with and form Part of this Act.

Interpretation of Terms.

3. In this Act the Words "the Company" mean the Company incorporated by this Act, and the Words "the Undertaking" or "the Market" mean and include the Market Places, Buildings, Sheds, Cattle Pens, Courts, and other Conveniences connected therewith by this Act authorized to be made and provided; the Word "Cattle" shall include Horse, Ass, Mule, Ram, Ewe, Wether, Lamb, Goat, Kid, or Swine; and the Word "Tolls" shall include Market Tolls, Rents, Stallages, and Market Dues.

Same Meanings to Words in incorporated Acts as in this Act.

4. The several Words and Expressions to which by the Acts incorporated with this Act Meanings are assigned have in this Act the same respective Meanings, unless excluded by the Subject or Context.

Subscribers incorporated.

5. *Henry Reginald Corbet* Esquire, *Egerton William Harding* Esquire, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for the Purposes of the Undertaking; and such Company shall be incorporated by the Name of "The *Market Drayton* Cattle Market Company," and by that Name shall be a Body Corporate, with perpetual Succession and a Common Seal, and shall have Power to purchase and hold Lands for the Purposes of the Undertaking, within the Restrictions herein and in the said Acts contained, and their Undertaking shall be called "The *Market Drayton* Cattle Market."

6. The

First and other Meetings.

6. The First Ordinary Meeting of the Company shall be held within Six Months next after the passing of this Act, and the subsequent Ordinary Meetings of the Company shall be held in the Months of *February* or *March* and *August* or *September* in every Year.

Quorum of General Meetings.

7. The Quorum of General Meetings of the Company shall be Five Shareholders present personally or by proxy, holding in the aggregate not less than Four hundred Pounds in the Capital of the Company.

Shareholders may convene Extraordinary Meetings.

8. The Number of Shareholders on whose Requisition an Extraordinary Meeting may be required to be conveued shall be not less than Five, and such Shareholders shall hold in the aggregate not less than Eight hundred Pounds in the Capital of the Company.

Number and Qualification of Directors.

9. The Number of Directors shall be Five, and the Qualification of a Director shall be the Possession in his own Right of Ten Shares in the Undertaking.

Power to reduce the Number of Directors.

10. It shall be lawful for the Company from Time to Time to reduce the Number of Directors, provided that the reduced Number be not less than Three.

Quorum.

11. The Quorum of a Meeting of Directors shall be Three whilst the Number of the Directors is Five, and Two when the Number of the Directors shall be less than Five.

First Directors to continue in Office until First Meeting after passing of Act.

12. *Henry Reginald Corbet*, *Egerton William Harding*, and *William Hughes* shall be Three of the first Directors of the Company, and shall continue in Office until the First Ordinary Meeting to be held after the passing of this Act; and at such Meeting the Shareholders present, personally or by proxy, may either continue in Office the Directors appointed by this Act, or any Number of them, or may elect a new Body of Directors, or Directors to supply the Places of those not continued in Office, the Directors appointed by this Act being eligible as Members of such new Body; and at the First Ordinary Meeting to be held in every Year thereafter the Shareholders present, personally or by proxy, shall elect Persons to supply the Places of the Directors then retiring from Office agreeably to the Provisions in "The Companies Clauses Consolidation Act, 1845," and in this Act contained; and the several Persons elected at any such Meeting, being neither removed nor disqualified nor having resigned, shall continue to be Directors until others are elected in their Stead in manner provided by "The Companies Clauses Consolidation Act, 1845."

13. The

Capital.

13. The Capital of the Company shall be Three thousand Pounds, divided into Three hundred Shares of Ten Pounds each.

Shares not to Issue until One Fifth paid up.

14. It shall not be lawful for the Company to issue any Share, nor shall any Share vest in the Person accepting the same, unless and until a Sum not being less than One Fifth Part of the Amount of such Share is paid up in respect thereof.

Calls.

15. One Pound *per* Share shall be the greatest Amount of a Call, and Two Months at the least shall be the Interval between successive Calls, and Three Fifths of a Share shall be the greatest Amount of Calls with respect to any Share in any Year.

Receipts of Guardians, &c. to be sufficient Discharge.

16. If any Money be payable to a Shareholder being a Minor, Idiot, or Lunatic, the Receipt of his or her respective Guardian or Committee shall be a sufficient Discharge to the Company for the same.

Power to borrow on Mortgage.

17. The Company may from Time to Time borrow on Mortgage any Sums not exceeding in the whole One thousand Pounds, but no Part thereof shall be borrowed until the whole of the Share Capital of Three thousand Pounds shall have been subscribed for or taken *bonâ fide*, and One Half thereof is actually paid up, and until the Company shall prove to the Justice who is to certify under the Fortieth Section of "The Companies Clauses Consolidation Act, 1845," before he so certifies, that Shares for the whole of the Capital which the Company are by this Act authorized to raise are issued and accepted, and that One Half of the whole Capital has been paid up, and that not less than One Fifth Part of the Amount of each separate Share has been paid up on account thereof before or at the Time of the Issue or Acceptance thereof, and that all such Shares are taken in good Faith, and held by the Subscribers or their Assigns, those Subscribers or their Assigns being legally liable for the same (of which Matters the Certificate of the Justice shall be Evidence).

Appointment of Receiver for Mortgagees.

18. The Mortgagees of the Company may enforce Payment of the Arrears of Principal and Interest due on any such Mortgages by the Appointment of a Receiver, and the Amount necessary to authorize the Appointment of a Receiver shall not be less than Three hundred Pounds in the whole.

Debenture Stock.

19. The Company may create and issue Debenture Stock, and Part III. of "The Companies Clauses Act, 1863," is incorporated with this Act.

20. All

Application of Monies raised under Act.

20. All and every Part of the Money raised under this Act, whether by Shares or Debenture Stock or by borrowing, shall be applied only to the Purposes authorized by this Act.

Limits of Act.

21. The Limits within which this Act shall be put in force shall be co-extensive with the Parish of *Drayton in Hales*.

Power to construct Market Place, &c.

22. Subject to the Provisions in this and the said incorporated Acts contained, the Company may construct a Market Place for the Sale of Cattle, and all necessary Lairs, Pens, Stalls, Buildings, Approaches, Works, and Conveniences connected therewith, upon the Lands described upon the said Plan and mentioned in the said Book of Reference, and they may enter upon, take, and use such of the said Lands as shall be necessary for those Purposes.

Limitation of Time for exercise of compulsory Powers of purchasing Land.

23. The Powers by this Act conferred for the compulsory Purchase of Lands shall not be exercised after the Expiration of Three Years from the passing of this Act.

Period for Completion of Market.

24. The Market shall be completed within Five Years from the passing of this Act, and on the Expiration of such Period the Powers by this Act granted to the Company for constructing the Market shall cease to be exercised, except as to so much thereof as shall then be completed.

Tolls for Cattle Market.

25. From and after the opening of the Market, and the Purchase by the Company from the said *Richard Corbet*, as herein-after provided, of the Right to levy Tolls in respect of Cattle, it shall be lawful for the Company from Time to Time to demand and take from any Person bringing to the Market any Cattle or other Live Stock specified in the Schedule to this Act annexed such Tolls as the Company shall from Time to Time appoint, not exceeding the Tolls specified in the said Schedule.

Collection of Stallages, &c.

26. The several Tolls from Time to Time may be demanded and taken by such Officers and Servants of the Company, or other Persons, as the Company from Time to Time appoint.

Power to let Stalls, &c.

27. It shall be lawful for the Company to let any of the Stalls, Pens, Sheds, or other Conveniences of the Market, and the Tolls of the Market, to any Person or Corporation for any Term not exceeding Three Years.

Assignment of Lease.

28. The Lessee of any such Stall, Pen, Shed, or other Convenience, or of the said Tolls, may, with the Consent of the Company, assign the same for the Residue of his Term.

Power to Purchase certain Market Tolls.

29. The Company on the one hand, and the said *Richard Corbet* (subject as herein-after mentioned) on the other hand, may contract and agree for the absolute Purchase by the Company of the Tolls which can be now levied by the said *Richard Corbet* in respect of Cattle in the Fairs and Markets held at *Market Drayton*; and upon Payment of the Purchase Money agreed to be paid in respect of the same Tolls, and upon the Execution by the said *Richard Corbet* of a Deed of Conveyance, duly stamped, (in which Deed the Consideration for the same shall be fully and truly stated and set forth,) the Rights, Powers, and Privileges of the said *Richard Corbet* with reference thereto, and to the Sale of Cattle in the said Markets and Fairs, shall vest in and belong to the Company, who may thereupon, until the new Market hereby authorized is opened, demand and receive for their own Benefit the same Tolls as now are or heretofore have been received and taken by the said *Richard Corbet* in respect of Cattle in the said Markets and Fairs; but when the new Market is opened the said Tolls shall cease, and the Tolls by this Act authorized shall come into operation instead thereof: Provided that, notwithstanding anything contained in this Act or in the Acts incorporated herewith, no such Conveyance shall be valid without the Consent of such Trustees or other Persons as are necessary for making a good Title to such Conveyance.

When new Market opened, no other Cattle Market to be held within Limits of Act.

30. When and so soon as the Market shall be opened for public Use, and such Conveyance shall have been executed as aforesaid, no other Market or Fair for the Sale of Live Cattle than that by this Act constituted shall be held within the Limits of this Act, any Usage, Custom, or Privilege to the contrary notwithstanding, so long as sufficient Space is provided in the Market established under the Authority of this Act; and every Person who, after the Market shall have been opened for public Use, shall publicly expose for Sale any Animal within the Limits of this Act, shall, for every Animal so publicly exposed, be liable to a Penalty not exceeding Forty Shillings.

Notice to be given of opening the Market.

31. One Month's Notice at least shall be given by Advertisement of the Time when the Market shall be opened for public Use.

For keeping Order in the Market.

32. It shall be lawful for any Inspector and Officers appointed by the Company to keep Order in the Market and the Approaches thereto, and any Person causing or creating any Nuisance or Obstruction in the Market or Approaches shall be liable to a Penalty not exceeding Forty Shillings.

Expenses of Act.

33. All the Costs, Charges, and Expenses of and attending the applying for, obtaining, and passing of this Act, or incident thereto, shall be paid by the Company.

SCHE-

The Market Drayton Cattle Market Act, 1865.

SCHEDULE to which the foregoing Act refers.

Tolls to be taken in the Cattle Market in respect of Cattle and other Live Stock exposed to Sale therein.

	s.	*d.*
For every Horse, Mare, Mare and Foal, or Gelding - - -	0	9
For every Colt, Filly, or Mule - - - - -	0	6
For every Bull, Ox, Cow, Cow and Calf, Steer, Heifer, or Ass -	0	3
For every Calf (except a sucking Calf) - - - -	0	1
For every Score of Sheep or Lambs (and so in proportion for any greater or less Number) - - - - - -	0	10
For Swine, per Head - - - - - -	0	0½
For exhibiting any Stallion or entire Horse - - - -	1	0

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