CHAPTER 27.

An Act to amend the Law with respect to weighing Cattle in Markets and Fairs. [8th August 1887.]

WHEREAS it is expedient to afford the like facilities for weighing cattle in markets and fairs as are afforded for weighing goods and carts under the Markets and Fairs Clauses Act, 1847, in markets and fairs to which that Act applies:

10 & 11 Vict. c. 14.

Be it therefore 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:

Short title.

1. This Act may be cited as the Markets and Fairs (Weighing of Cattle) Act, 1887.

Application of Act.

2. This Act, save as is herein-after provided, shall apply to all markets and fairs in which tolls are for the time being authorised to be taken and actually are taken in respect of cattle by any company, corporation, or person; and every such company, corporation, or person is in this Act called "the market authority."

Interpretation.

3. In this Act the word "cattle" includes ram, ewe, wether, lamb, and swine.

Accommodation for weighing cattle to be provided.

4. In or near to every market or fair to which this Act applies, the market authority shall provide and maintain sufficient and proper buildings or places for weighing cattle brought for sale within the market or fair, and shall keep therein or near thereto weighing machines and weights for the purpose of weighing cattle, and shall appoint proper persons to have charge of such machines and weights, and to afford the use of such machines and weights to the public for weighing cattle as may be from time to time required.

The market authority shall have the accuracy of such weighing machines and weights tested at least twice in every year by the *local inspector of weights and measures of and for the county*, borough, or place where the market is situate, and the cost of such testing shall be borne by such market authority.

If the market authority fail to comply with the provisions of this section, it shall not be lawful for them to demand, receive, or recover any toll whatever in respect of any cattle brought to the market or fair for sale so long as such failure continues, but this enactment shall not apply till after the first day of January one thousand eight hundred and eighty-eight.

Any person who demands or receives any toll in respect of cattle in any market or fair to which for the time being this Act applies, but in which the market authority have not complied with the provisions of this Act, shall be liable on summary conviction to a fine not exceeding five pounds.

Cattle to be weighed at option of seller or buyer.

5. Every person selling, offering for sale, or buying any cattle in a market or fair provided with accommodation for weighing cattle may require such cattle to be weighed, and the tolls payable in respect of the weighing shall be paid by the person requiring the cattle to be weighed to the person authorised by the market authority to receive the tolls.

Penalty for refusal to weigh cattle or to give ticket, &c.

6. Every person appointed by the market authority to weigh cattle sold in the market or fair, who—

(*a.*) refuses or neglects to weigh the same when required; or

(*b.*) refuses or neglects to deliver to the seller or buyer a ticket specifying the true weight of the cattle weighed; or

(*c.*) gives to any person a false ticket or account of any cattle weighed;

shall be liable on summary conviction to a fine not exceeding forty shillings and not less than half a crown.

Penalty for fraud.

7. Every person who knowingly acts or assists in committing any fraud respecting the weighing of any cattle weighed in pursuance of this Act, shall for every such offence be liable on summary conviction to a fine not exceeding five pounds.

Tolls for weighing cattle.

8. The market authority may from time to time (unless otherwise expressly provided by any Act) demand and receive in respect of the weighing of cattle tolls not exceeding the amounts specified in the schedule to this Act, or such other amounts as may be authorised by the Local Government Board to be taken by the market authority; and sections thirty-six to forty-one (both included) of the Markets and Fairs Clauses Act, 1847, shall apply to the tolls mentioned in this section, as if this Act were the special Act, and the market authority were the undertakers.

10 & 11 Vict. c. 14.

Power to exempt certain markets and fairs from provisions of Act.

9.—(1.) The market authority of any market or fair may at any time apply to the Local Government Board to be exempted from the provisions of this Act on the ground that the sale of cattle at such market or fair is or is likely to be so small as to render it inexpedient to enforce the provision and maintenance of a place for weighing cattle and of a weighing machine under this Act; and thereupon the Local Government Board may by order declare that this Act shall not apply to such market or fair until after the expiration of a time not exceeding three years to be limited by such order. Any order made under this section may at any time be wholly or partially rescinded, altered, or extended by any subsequent order of the Local Government Board.

(2.) This Act shall not apply to any market or fair to which any order under this section applies so long as it is declared by such order that this Act shall not apply thereto.

Application of Act to Scotland and Ireland.

10. In the application of this Act to Scotland and Ireland this Act shall be read and construed as if for the expression "the Local Government Board" there were substituted, as regards Scotland, the expression "the Secretary for Scotland," and as regards Ireland, the expression "the Local Government Board for Ireland."

THE SCHEDULE.

	Not exceeding
For every head of cattle other than sheep or swine - -	Twopence.
For sheep or swine, every five or less number - - -	One penny.