Sale of Cattle Act (Ireland) 1703

Act Repd. S.I. 1984/702 (N.I.2) art. 24, sch

A [Chapter 15

An Act to prohibit Butchers from being Graziers, and to redress several Abuses in buying and selling of Cattle; and in the slaughtering and packing of Beef, Tallow, and Hides.[1]

Ss.I–V rep. by SLR (NI) 1953

VI. And further if any butcher, or other person or persons whatsoever, in any market, or fair, or elsewhere in this kingdom, do give or strike earnest for any beast or beasts, or parcel of cattle or sheep, if the person, that offers to sale the said cattle, do not after the striking and receiving the said earnest declare that it is a bargain, and that he is content to receive and keep the said earnest, that it shall and may be lawful for every such person to sell the same cattle, beast, or sheep, to any other person whatsoever, that shall afterwards bargain with him and buy the same, notwithstanding such earnest remaining in his hands; . . .[2] and no other magistrate or justice of the peace whatsoever shall order or adjudge the seller of any such cattle to stand to or perform any bargain, to which he did not declare such his assent after earnest struck or laid in his hands as aforesaid, on pain to forfeit five pounds sterl. for every such his offence; . . .[3].

If he that offers cattle to sale, after receiving earnest does not declare it a bargain, &c.

he may sell the same to any other.

No magistrate shall adjudge the seller to perform a bargain to which he declared not such assent after earnest, penalty £5.

S.VII rep. by SLR (I) 1879. S.VIII rep. by SLR (I) 1878. Ss.IX–XI rep. by SLR (I) 1879

XII. And whereas it is very usual for butchers in Smithfield market, and the several other markets of this kingdom, to agree for cattle, and give earnest for the same to the seller, and then go away and keep the seller waiting the whole day, and many times to the next day, before they come to pay the money for the said cattle, and take them away to the great damage of the seller: for remedy whereof no person or persons whatsoever, that sells any beasts, sheep, lambs, hogs, or any other sort

No seller of cattle in market or fair obliged to wait for buyer above two hours after earnest.

of cattle whatsoever in Smithfield market, or in any other market or fair in this kingdom, shall be obliged to wait for or attend the buyer of such cattle above the space of two hours after such earnest given as aforesaid; and that in case the buyer does not come and pay down the full price agreed for, and receive the cattle sold him within the space of two hours after such bargain made and earnest given as aforesaid, that then the said buyer shall lose and forfeit the earnest he so gave, and that then it shall and may be lawful to and for the seller of such cattle to expose the same to sale again, and to sell the said beasts and cattle to any other person whatsoever, and to keep the aforesaid earnest; and where the seller of such beast or cattle shall not, by reason of the earnest given and bargain made as aforesaid, sell such beast or cattle to any other person in the said market, and every such person so contracting to sell, shall and may by action on the case recover his damages for the loss of his market, and such other loss as he shall sustain thereby, with his full costs of suit.

Buyer to forfeit such earnest, and the cattle may be sold to any other. If not sold by reason thereof, damages and full costs by action on case.

Justices of peace to inquire at sessions.

XIII. AND for the more speedy and effectual putting this act in execution in and through this whole kingdom, it shall and may be lawful to and for the justices of the peace[4] of the several counties of this kingdom respectively at and in their respective quarter-sessions to enquire into, hear, and determine all and every the offences aforesaid, . . .[5].

Prosecution in six months.

XIV. PROVIDED nevertheless, That no person or persons whatsoever shall at any time hereafter be sued, troubled, or molested for any offence or offences done or committed, or supposed to be done or committed, against this act, unless such prosecution shall be begun within six kalendar months next after the said offence or offences committed.

S.XV rep. by SLR (NI) 1953. S.XVI rep. by SLR (I) 1879. S.XVII rep. by SLR (NI) 1953. S.XVIII rep. by SLR (I) 1878.

References

1. Short title "The Sale of Cattle Act (Ireland) 1703", 1951 c.1 (NI)
2. Rep., SLR (I) 1878
3. Rep., SLR (NI) 1953
4. See 1978 c.23 s.122(1) sch.5 Pt.I para.2
5. Rep., SLR (I) 1879