CHAPTER lix.

An Act for providing additional Market Accommodation for the Town of Sheffield, and to amend the Sheffield Market Act, 1847; and for other purposes. [27th June 1872.]

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WHEREAS by an Act passed in the session of Parliament held in the seventh and eighth years of the reign of His late Majesty King George the Fourth, intituled "An Act for removing the "corn, hay, and cattle markets of the town of Sheffield in the west "riding of the county of York, for erecting a corn exchange and "improving the market places, and regulating the fairs and markets "of the said town, and erecting a bridge there over the River Dun," after reciting therein (amongst other things) an Act passed in the twenty-fourth year of the reign of His late Majesty King George the Third, intituled "An Act for enlarging the market place and "regulating the markets within the town of Sheffield in the west "riding of the county of York, and for widening and rendering "more safe and commodious several streets adjoining or leading "into the said market place, and for taking down the present "slaughter-houses within the said town, and erecting others in a "more proper situation," to the effect therein recited, and that, under the powers of the said therein recited Act, the former market had been considerably increased, and the markets and fairs for horses and other beasts, and live cattle, had been removed to a place called the Wicker, and certain buildings and conveniences thereto had been erected and made upon a convenient site for therein slaughtering cattle, it was (amongst other things) enacted, that from and after the passing of the said Act now in recital the said therein recited Act of the twenty-fourth year of George the Third should be repealed, and that certain persons therein named should be Commissioners for carrying the purposes of the said Act now in recital into execution; and (section 14) that the several pieces or parcels of land particularly mentioned and described in the first schedule to the same Act annexed, marked A., should, from and immediately after the passing of the same Act, be

7 & 8 G. 4. c. xlvi.

24 G. 3. c. 5.

A.D. 1872. appropriated and set apart as and for the sites of a corn market, a hay market, and a market and fairs for beasts, horses, swine, and other cattle, and also in case Bernard Edward Duke of Norfolk, or the future owner or owners of the said market, and the said Commissioners should at any time think fit, as and for a market for vending meal, flour, butcher's meat, fish, poultry, potatoes and other vegetables, cheese, butter, and eggs, and all other matters and things which before the passing of the said Act now in recital had been usually exposed to sale in the market places provided by the said therein recited Act, and (amongst other powers and authorities therein contained) the said Bernard Edward Duke of Norfolk or the future owner or owners of the said market was and were thereby empowered to appropriate, set apart, and use as a market place and market for the sale of the several matters and things therein and herein-before mentioned, or any of them, the plot or space of ground lying between King Street and Castle Street, and then used as a fish market, and also to enlarge and improve the same by the purchase and appropriation of the several messuages, buildings, lands, ground, and hereditaments described in the second schedule to the said Act now in recital annexed, marked B.; and (sections 15 and 17) to purchase and take in manner therein mentioned, within the space of five years from the passing of the said Act now in recital, the several messuages, buildings, lands, tenements, and hereditaments in the said parish of Sheffield mentioned and specified in the said first and second schedules to the said Act, marked A. and B. respectively; and (section 34) to make, erect, and build upon the lands and hereditaments comprised in the said first schedule, marked A., such a market house as a corn exchange, with offices and shops thereto, and such other houses, buildings, stalls, standings, shambles, and other conveniences, and such roads, ways, passages, and avenues leading to the said market, as therein mentioned, and also to erect one or more engines for weighing corn, hay, straw, or other articles to be bought or sold by weight in the said markets; and (section 35) the said Bernard Edward Duke of Norfolk, or the future owner or owners of the said market, and the said Commissioners were thereby authorised to appropriate and set apart such portion as they should think proper of the lands mentioned in the first schedule to the said Act annexed, marked A., as and for a public market place for exposing to sale corn, grain, and other agricultural produce in bulk, and also to set apart and appropriate such other portion as they shall think proper of the said last-mentioned lands as and for a public market place for exposing to sale and selling therein hay and straw, and also to set apart and appropriate such other portion as they should think fit of such last-mentioned lands, or some part or parts thereof, as and for a public market place for

exposing to sale and selling therein live cattle, horses, beasts, sheep, and swine:

10 & 11 Vict. c. xlv.

And whereas by the Sheffield Market Act, 1847, after reciting (among other things) that, under the power of the said recited Act of the seventh and eighth years of George the Fourth, the said corn market and hay market, and the market and fair for beasts, horses, swine, and other cattle, had been removed from the places where the same had been respectively held before the passing of such Act to more suitable and convenient situations in or upon portions of certain lands mentioned in the first schedule to the said Act of the seventh and eighth years of King George the Fourth, and were then held upon the same respectively, and a corn exchange, with houses, offices, and shops, and also a weighing house or place near the said corn and hay markets, which were contiguous to and adjoined each other, had been erected and built, and were then standing and being upon other portions of the said last-mentioned lands, the said Act of the seventh and eighth years of George the Fourth (except such part of it as repealed the said Act of the twenty-fourth year of George the Third) was repealed, and "The Lands Clauses Consolidation Act, 1845," and "The Markets and Fairs Clauses Act, 1847," with the exception therein mentioned, were incorporated in the said Act now in recital, and it was enacted that the limits within which the said Act now in recital, and the Acts incorporated therewith, should be put in force should be as follows; (that is to say,) the town of Sheffield and the parish of Sheffield, except the manor of Ecclesall, which was comprised within the said parish, and (sections 8 and 11) Henry Charles Duke of Norfolk or other the owner or owners for the time being of the markets within the limits of the said Act were empowered to purchase, take, and use the messuages, buildings, lands, and hereditaments in the parish of Sheffield specified in the first schedule to the same Act, and to alter all or any of the said messuages, buildings, tenements, and hereditaments so to be purchased as aforesaid, or any part thereof respectively, and to appropriate and set apart the same or any of them, or any part thereof, and all or any of the ground or sites thereof respectively, and also all or any of the land or ground so to be purchased or taken as aforesaid, for the several purposes of the said Act, and to make and form a spacious opening or square between the streets or places called respectively Castle Fold and Dixon Lane, in the said town of Sheffield, and to appropriate and set apart the same, and to make, erect, and build thereupon, or upon any part thereof, a market place, with all proper and sufficient offices, buildings, weighing house and machine, stalls, standings, and other conveniences, for the sale of meal, flour, butcher's meat, fish, poultry, potatoes and other vegetables, cheese, butter, eggs, and other provisions, goods,

A.D. 1872. wares, merchandise, and all other articles, matters, and things, of whatsoever nature or description, which the said Henry Charles Duke of Norfolk or such owner or owners as aforesaid should direct, and also to make and clear another opening or space of ground between the streets called respectively Exchange Street and Broad Street in the said town of Sheffield, and set apart and appropriate the same for all or any of the purposes of the said markets; and (section 13) it was enacted that after the said new market place should be opened for public use, a certain market then held in the space between King Street and Castle Street should be removed to and held in and upon the said new market place; and (section 16) the said Henry Charles Duke of Norfolk or other such owner or owners as aforesaid were empowered to borrow on mortgage under the provisions of the same Act any sum or sums of money not exceeding in the whole thirty thousand pounds; and (section 20) it was enacted that all moneys which should be raised by virtue of such Act, whether by sale or mortgage, and all moneys which should arise from or in respect of the rents, tolls, duties, and stallage authorised to be levied by such Act, or from the letting thereof, should be paid to such treasurer, collector, or other person as therein mentioned, and should be applied in the first place in paying all the costs, charges, and expenses incident to and attending the obtaining and passing of such Act, and in the next place executing the several works authorised by such Act, or in carrying the same into execution, and all allowances to the several officers acting in the execution of the said Act, and the costs, charges, and expenses of regulating, maintaining, and keeping in repair the said markets, and in the next place from time to time in paying and discharging the interest of all the moneys authorised to be borrowed by such Act, and in the meantime and subject to the several payments aforesaid, and to the principal money for the time being due and owing upon the mortgage securities to be made in pursuance of such Act, and to the provisions therein contained for discharging the same, the said moneys and every part thereof should be paid and applied to the said Henry Charles Duke of Norfolk or other such owner or owners as aforesaid, or as he or they should direct; and (section 26) the said Henry Charles Duke of Norfolk or other such owner or owners as aforesaid were empowered from time to time to make such alterations in the division, arrangement, and appropriation of the markets within the limits of such Act, and such repairs, alterations, and amendments of and in the shops, erections, and buildings thereon, or the convenient approaches and other accommodation thereof, and generally from time to time to do all such acts, deeds, matters, and things as to the said Duke, or such owner or owners as aforesaid, should appear to be necessary or proper for the pre-

servation, maintenance, regulation, and support of the said markets and market places, or any part thereof, and also to provide such slaughter-houses, and for ever thereafter to maintain the said markets, with all proper and necessary stalls, standings, shops, buildings, approaches, conveniences, and other accommodations as the said Duke or such owner or owners as aforesaid should from time to time direct; and (section 27) it was enacted that from and after the passing of such Act all markets and fairs to be held within the limits of such Act for the sale of cattle, animals, and provisions, corn, hay, straw, and such other articles and things as should for the time being be saleable by virtue of such Act in the market places for the time being subsisting under the same should be held within the limits of such subsisting market places only, and not elsewhere, except as therein otherwise mentioned, (an exception (section 40) referring only to sales by any person in his own dwelling-house or in any shop, and to sales of butter, eggs, and poultry in hand baskets,) and the said Henry Charles Duke of Norfolk or other such owner or owners as aforesaid might ask, demand, recover, receive, and take the several rents, tolls, duties, pickage, stallage, or sum or sums of money specified in the second schedule, marked B., to the said Act, which said second schedule, after specifying the maximum rent or toll to be charged for a stand or standing place for selling or exposing to sale any malt, seeds, hops, or other agricultural produce, provided that persons offering or exposing by sample any of the articles aforesaid, (meaning thereby the aforesaid malt, seeds, hops, and other agricultural produce,) either within the said markets or adjacent thereto, not having any stand or standing place therein, should not be liable to pay any rent or toll whatever; and (sections 28 and 29) the said Henry Charles Duke of Norfolk and other such owner or owners as aforesaid were empowered to grant such leases as therein mentioned for periods or terms not exceeding seven years; and (section 31 and four following sections) to make byelaws for the purposes and in the manner therein mentioned and provided for, such byelaws being confirmed by some judge or by the justices at general or quarter sessions:

And whereas under the powers of the said Sheffield Market Act, 1847, a spacious opening or square was formed between the said streets and places called respectively Castle Folds and Dixon Lane, as well as another opening between the said streets called respectively Exchange Street and Broad Street, and a market place with a market hall known as the Norfolk Market Hall was formed and erected thereon or on some part thereof, and the said market held in the space between King Street and Castle Street aforesaid was removed:

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And whereas all the moneys borrowed under the Sheffield Market Act, 1847, have been paid off and discharged:

And whereas the Most Noble Henry Duke of Norfolk now is or claims to be tenant in tail male in possession of the castle and manor or lordship of Sheffield, and as such tenant in tail is the owner within the meaning of the Sheffield Market Act, 1847, of the said markets and places, and the buildings and sites thereof, with the appurtenances, and of the rates, tolls, pickage, stallage, free customs, issues, rents, duties, and profits of the said markets and fairs, the same being part of and incident to the said castle and manor or lordship of Sheffield:

And whereas the Local Government Act, 1858, with which the unrepealed parts of the Public Health Act, 1848, and the provisions of the Towns Improvement Act, 1847, with respect to slaughter-houses, are respectively incorporated, is in force within the borough of Sheffield, which borough is conterminous and co-extensive with the parish of Sheffield, and the corporation by the town council are the local board:

And whereas the trade, manufactures, and population of the said town of Sheffield and its neighbourhood have greatly increased since the passing of the said Sheffield Market Act, 1847:

And whereas it would be of advantage to the said town if a larger and more convenient corn exchange were substituted for the present corn exchange, and if such further provision as is in this Act contained with reference to the markets and market places were made:

And whereas it would be of advantage to the said town of Sheffield if the pieces of ground described in the first schedule to this Act were authorised to be acquired by agreement and used for the purposes of the Sheffield Market Act, 1847, or of this Act, and if provision were made for the removal of the slaughter-houses now maintained by the said Henry Duke of Norfolk under the said Sheffield Market Act, 1847:

And whereas the site upon which the said slaughter-houses now maintained as aforesaid stand formed part of the said manor or lordship of Sheffield before such buildings and conveniences for slaughtering cattle as aforesaid were erected thereon:

And whereas it is expedient that a revised table of rents, tolls, and stallages should be substituted for the table of rents, tolls, and stallages contained in the said second schedule, marked B., to the Sheffield Market Act, 1847:

And whereas it is also expedient that the said exemption from rent and toll of persons selling malt, seeds, hops, and agricultural produce by sample contained in the said Schedule B. should be repealed:

And whereas it is expedient that the Sheffield Market Act, 1847, should be otherwise amended:

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:

Short title.

1. This Act may be cited for all purposes as "The Sheffield Market Act, 1872."

Interpretation of terms.

2. The following words and expressions shall in this Act have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction; (that is to say,)

The word "cattle" shall include horse, ass, mule, ram, ewe, wether, goat, kid, or swine:

The expression "the markets within the limits of this Act" shall mean the markets and fairs, and the works connected therewith, authorised to be constructed or regulated by "The Sheffield Market Act, 1847," and this Act or either of them:

The expression "the Market Owner" shall mean the said Henry Duke of Norfolk, or other the person or persons entitled for the time being to the rents and profits of the castle and manor or lordship of Sheffield, and the expressions "the owner or owners "for the time being of the said markets," and "the owner or "owners for the time being of the markets within the limits of "this Act," in the Sheffield Market Act, 1847, shall in that Act have the meaning by this Act assigned to the expression "the Market Owner:"

The expression "the Town Council" shall mean the Town Council of the borough of Sheffield.

To be one Act with Act of 1847.

3. This Act and the said Sheffield Market Act, 1847, shall be read and construed as one Act.

Limits of Act.

4. The limits of this Act shall be the town of Sheffield and the parish of Sheffield, except the manor of Ecclesall.

8 & 9 Vict. c. 18., 23 & 24 Vict. c. 106., 32 & 33 Vict. c. 18., 10 & 11 Vict. c. 14., incorporated.

5. The several Acts of Parliament following, (that is to say,) the Lands Clauses Consolidation Acts, 1845, (except so much thereof as relates to the purchase and taking of and entry upon lands otherwise than by agreement,) 1860, and 1869, and the Markets and Fairs Clauses Act, 1847, (except only the provisions of the last-mentioned Act with respect to the byelaws to be made by the undertakers with respect to the receipts and expenditure

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of the undertakers,) shall be incorporated with and form part of this Act.

Corn Exchange may be taken down and rebuilt.

6. It shall be lawful for the Market Owner to take down the said existing corn exchange, or any part or parts thereof, and to construct upon the site of the buildings so taken down, and upon any adjoining ground forming part of the site appropriated for the markets within the limits of this Act, a new corn exchange, with proper rooms, counting-houses, offices, stalls, standings, and other conveniences for the sale of corn and other grain, and of all such other articles and things as the Market Owner shall direct, and also, if the Market Owner shall think fit, with any shops or other buildings intended to be occupied and used apart from and independently of the said markets within the limits of this Act.

Appropriation of sites for roads.

7. The Market Owner may, by agreement with, or with the consent of, the Town Council, from time to time appropriate as a public road or highway, or as public roads or highways, any part or parts of the sites of the existing markets or market places, or of the sites of the markets, market places, or slaughter-houses to be established under this Act, and when any such road shall be completed the Market Owner may, with the consent of the Town Council, declare the same in writing to be a public highway, and from and after such declaration such road shall be deemed a public highway, and shall be paved, cleansed, lighted, watched, kept in repair, and otherwise ordered and regulated as the other public streets and highways in the said town of Sheffield. In case the said Town Council shall refuse to consent to any such road which may have been made or formed by the Market Owner being declared a public highway, the Market Owner may retain the same as a private road, and either permit the public to use the same, or limit the use thereof in such manner as the Market Owner may from time to time think fit.

Parts of market sites may be appropriated for improvement of street.

8. The Market Owner may from time to time, with the consent of the Town Council, appropriate any part or parts of any of the sites which now are appropriated and used, or which may be acquired or appropriated under this Act for the markets within the limits of this Act, for the improvement of any existing streets, roads, or highways for the time being, and every piece of ground which shall, under any such appropriation, be added to any street, road, or highway shall thenceforth be deemed part of a public highway, and shall be paved, cleansed, lighted, watched, kept in repair, and otherwise ordered and regulated as the other public streets and highways in the said town of Sheffield.

Gangways, cellars, &c. under street.

9. The Market Owner may at any time or times hereafter, and either before or after any road to be constructed as aforesaid, or any

piece of ground to be appropriated as aforesaid, shall have become a public highway, or part of a public highway, construct under such road or piece of ground such gangways, cellars, sewers, drains, and other conveniences as he may think fit, and shall for ever retain the right of maintaining and using, and from time to time altering and reconstructing, all such gangways, cellars, sewers, drains, and conveniences: Provided always, that the Market Owner may at any time release all or any of the rights reserved to him by this section.

Power to purchase lands in First Schedule.

10. It shall be lawful for the Market Owner to purchase and take by agreement and use the two several parcels of land in the said parish of Sheffield particularly described and specified in the First Schedule to this Act annexed, or so much and such parts of the same parcels of ground as the Market Owner may think fit, and to appropriate the land so purchased or taken or any part or parts thereof for the purposes of a market for cattle, and for the erection and maintenance of slaughter-houses for cattle, or for the purposes of any of the markets within the limits of this Act, or for all or any other purposes authorised by the said Sheffield Market Act, 1847, and this Act, or either of them: Provided always, that there shall be reserved to the said Henry Duke of Norfolk, or other the owner or owners for the time being of the railway which now runs under the first described of the said two parcels of land, all that the aforesaid railway, together with the several waggon ways, rails, sleepers, drains, and other works connected therewith, and with full liberty for the said Henry Duke of Norfolk, or such other owner or owners of the said railway as aforesaid, for any purposes whatsoever, to maintain and from time to time repair and alter the same, and to use the same or permit the same to be used for any purposes whatsoever, but nothing herein contained shall render it obligatory upon the said Henry Duke of Norfolk, or other such owner or owners as aforesaid, to maintain such railway as aforesaid, or prevent him or them from releasing all or any of the rights reserved by this section: Provided also, that no part of the secondly described of the said two parcels of land shall be appropriated or used for slaughter-houses without the previous consent of the Town Council of the borough of Sheffield.

Reservation of railway.

Cattle market and slaughter-house to be drained.

11. The Market Owner shall cause any cattle market or markets and any slaughter-houses to be established under this Act to be sufficiently sewered and drained, and may on lands of the Market Owner, and in, through, or under any highway on or adjoining any such lands, execute the works necessary for the sewerage and draining thereof, and may maintain and from time to time repair and remove such sewers and drains.

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Exclusion of 11 & 12 Vict. c. 63. s. 64, and 10 & 11 Vict. c. 34. ss. 25 to 131.

12. The sixty-fourth section of the Public Health Act, 1848, and the provisions of the Towns Improvement Act, 1847, with respect to slaughter-houses, shall apply to any slaughter-houses now maintained as aforesaid, or to be established by the Market Owner under any of the powers given to him by the Sheffield Market Act, 1847, or this Act.

Existing slaughter-houses may be sold, &c.

13. When and so soon as slaughter-houses affording an amount of accommodation in the opinion of the Market Owner or his agent equal to or greater than that afforded by the now existing slaughter-houses shall have been erected and opened for public use, the Market Owner may discontinue the use of the said existing slaughter-houses, subject only to any leases or lettings which may have been granted or made of the same slaughter-houses or any of them, and after such discontinuance the said existing slaughter-houses, and all yards and premises belonging thereto or occupied therewith, and the sites thereof, may be sold, leased, or otherwise disposed of or dealt with by the Market Owner free from any rights of way or other rights, interests, claims, or demands affecting the same premises by reason of their having been appropriated and used as slaughter-houses and sites of slaughter-houses, but subject to any such leases or lettings as aforesaid.

Power to extend market sites.

14. If at any time or times hereafter any of the markets within the limits of this Act, or of the market places for the same, shall be found in the judgment of the Market Owner to be not sufficiently commodious or capacious, it shall be lawful for the Market Owner to enlarge and improve the same from time to time, and for this purpose to purchase or otherwise acquire by agreement or appropriate any lands, buildings, or hereditaments anywhere within the limits of this Act, and all and singular the powers and provisions of this Act, and of the Sheffield Market Act, 1847, and of the Acts incorporated therewith respectively (except the powers for the purchase and taking of and entry upon land and property otherwise than by agreement), shall be applicable for the purposes of enlarging and improving such markets and market places, and of regulating and maintaining the same when enlarged and improved: Provided always, that no hereditaments purchased under this section shall be appropriated or used for slaughter-houses except with the previous consent of the Town Council.

Rents, tolls, &c. altered.

15. From and after the first day of January one thousand eight hundred and seventy-three the Market Owner may demand and take such rents, tolls, duties, pickage, stallage, or sum or sums of money as the Market Owner may from time to time appoint, not exceeding the several rents, tolls, duties, pickage, stallage, and sum or sums of money specified in the Second Schedule to this Act, in lieu of the

rents, tolls, duties, pickage, stallage, sum or sums of money specified in the second schedule (B.) to the Sheffield Market Act, 1847.

Exemption of sellers by sample repealed.

16. From and after the first day of January one thousand eight hundred and seventy-three the said exemption contained in the said schedule (B.) to the said Sheffield Market Act, 1847, of persons selling malt, seed, hops, or other agricultural produce by sample shall be repealed.

Power to lease markets, &c.

17. The Market Owner may from time to time demise and let the markets and market places, slaughter-houses, and weighing houses or places and machines by the Sheffield Market Act, 1847, and this Act, or either of them, authorised to be constructed or regulated, or any of them, or any part thereof, and the said rents, tolls, duties, pickage, stallage, and sum or sums of money herein-before authorised to be taken, or any of them, or any part or parts thereof, or of any of them, for any period not exceeding twenty-one years, upon such terms as shall be agreed upon between the Market Owner and the person to whom such lease shall be granted. The lessee under any such lease, his executors, administrators, or assigns, may, with the consent of the Market Owner (but not otherwise), assign or demise the premises comprised in such lease, or any of them, for the whole or any part of the residue of the term thereby created.

Power to lease slaughter-houses, shops, stalls, &c.

18. The Market Owner may let all or any of the said slaughter-houses, and all or any of the shops, stalls, standing places, benches, or other conveniences in any of the said markets or market places, to any person, for any term not exceeding twenty-one years, at any rents not exceeding those specified in the said Second Schedule to this Act. The lessee under any such lease, his executors, administrators, or assigns, may, with the consent of the Market Owner (but not otherwise), assign, or, without any such consent, demise, the premises comprised in such lease, or any of them, for the whole or any part of the residue of the term thereby created.

Power to use and lease for other purposes shops, &c. not required for markets.

19. Nothing contained in this Act or in the Sheffield Market Act, 1847, shall prevent the Market Owner from using or permitting to be used for any purposes whatsoever, or from letting for any term, in such manner, on such conditions, and at such rent, rate, or prices as the Market Owner may from time to time think reasonable, any shop, offices, rooms, or buildings, or any ground attached thereto, which shall not for the time being be required for the purposes of the markets within the limits of this Act.

Power to borrow on mortgage.

20. It shall be lawful for the Market Owner to borrow on mortgage under the provisions of this Act any sum or sums of money not exceeding in the whole the sum of thirty thousand pounds.

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Incorporation of sections as to mortgages in Act of 1847.

21. The seventeenth, eighteenth, nineteenth, twenty-first, twenty-second, twenty-third, and twenty-fourth sections of the Sheffield Market Act, 1847, shall apply to the sum of thirty thousand pounds herein authorised to be raised as fully and in the same manner in all respects as the same sections respectively applied to the sum of thirty thousand pounds authorised to be raised by the Sheffield Market Act, 1847, and as if the name of the said Henry Duke of Norfolk were substituted in the said sections for the name of Henry Charles Duke of Norfolk.

Repeal of sections 16, 20, and 25 of Act of 1847.

22. The sixteenth, twentieth, and twenty-fifth sections of the Sheffield Market Act, 1847, shall be repealed from the passing of this Act.

Application of rents, tolls, &c.

23. All moneys which shall be raised by virtue of this Act, whether by sale or mortgage, and all moneys which shall arise from or in respect of the rents, tolls, duties, pickage, stallage, and sum and sums of money by this Act authorised to be levied by or from or in respect of the rents payable under any leases or lettings made under this Act and the Sheffield Market Act, 1847, or either of them, shall be paid to such treasurer, collector, or other person as the Market Owner shall from time to time authorise to receive the same, and shall be applied in the order and manner herein-after mentioned; that is to say, first, in paying all the costs and expenses of and incident to the obtaining and passing of this Act; next, in paying all costs, charges, and expenses which may be incurred in executing any of the works authorised by this Act or by the Sheffield Market Act, 1847, and carrying the same Acts into execution, and all allowances to the several officers acting in the execution of such Acts, and the costs, charges, and expenses of regulating, maintaining, and keeping in repair the said markets within the limits of this Act, and of altering and improving the same from time to time, and all other necessary expenditure relating to the said markets; and, next, in from time to time paying the interest of all moneys authorised to be borrowed by this Act; and in the meantime, and subject to the several payments aforesaid, and to the principal money for the time being owing upon the security of the mortgage securities to be made in pursuance of this Act, and to the provisions for discharging the same by reference incorporated herewith, the said moneys and every part thereof shall be paid and applied to and by the Market Owner, or as he shall direct.

Power to alter appropriation of market sites.

24. The twenty-sixth section of the Sheffield Market Act, 1847, shall extend to authorise the Market Owner not only to re-arrange each or any of the markets therein mentioned upon its own site, but also to alter, in such manner as the Market Owner may from

time to time think fit, the division, arrangement, and appropriation, for all or any of the markets within the limits of this Act, of all or any of the sites or buildings now used for any such markets under the Sheffield Market Act, 1847, or to be appropriated for the same under this Act, and to exclude any of such sites or buildings, or any part or parts thereof, from the sites or buildings appropriated for such markets or any of them. Every such alteration or exclusion shall be notified by the Market Owner in the same manner as is required in reference to the opening of a new market under section twelve of the Markets and Fairs Clauses Act, 1847; but it shall not be necessary to repeal any existing byelaws or make any new byelaws for the purpose of effecting any such alteration or exclusion, notwithstanding that the appropriation of the sites or buildings to which such alteration or exclusion shall apply may have been made or recognised by some byelaw or byelaws made and confirmed either before or after the passing of this Act, pursuant to the Sheffield Market Act, 1847.

Saving of rights of lord of manor.

25. Nothing in this Act contained shall extend or be construed to extend in any way to lessen, impeach, annul, prejudice, or destroy any rights, privileges, jurisdictions, immunities, rents, tolls, pickage, stallage, free customs, duties, profits, or advantages belonging, due, or in anywise appertaining to the lord of the manor of Sheffield aforesaid, or of any other manor within the limits of this Act, but all and every such rights, privileges, jurisdictions, immunities, rents, tolls, pickage, stallage, free customs, duties, profits, and advantages may be exercised, demanded, executed, received, and enjoyed in as full and ample a manner to all intents and purposes as if this Act had not been passed.

Expenses of Act.

26. The costs, charges, and expenses of and incidental to applying for and passing of this Act shall be paid by the Market Owner.

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SCHEDULES referred to in the foregoing Act.

THE FIRST SCHEDULE.

Firstly, a parcel of ground situate partly in the township of Sheffield and partly in the township of Attercliffe-cum-Darnall, both in the parish of Sheffield in the west riding of the county of York, and which said parcel of ground is bounded on or towards the north-west by a recently-formed road called or intended to be called Bernard Road, on or towards the north in part by the said road or intended road called Bernard Road, and in other part by land belonging or reputed to belong to the said Duke, at present unoccupied, and in other part by other land belonging or reputed to belong to the said Duke, now or lately held by Mr. James Crossland as lessee thereof, on or towards the south by another recently-formed road called or intended to be called Aston Street, and on or towards the east in part by an occupation road leading from the said leasehold premises of the said James Crossland to a highway called Cricket Road, and in other part by the said leasehold premises of the said James Crossland, which said parcel of ground now being described contains an area of about five acres, little more or less.

Secondly, all that parcel of ground in the township of Sheffield aforesaid, bounded towards the south-east by a street or road intended to form a continuation of Victoria Road, and having a frontage towards such street of one hundred yards or thereabouts, towards the north, north-west, and north-east by the river Dun, and towards the south-west by a strip of land forty feet wide, dividing the parcel of ground now being described from the Victoria station of the Manchester, Sheffield, and Lincolnshire Railway Company, and which parcel of ground now being described contains in the whole seven thousand four hundred superficial square yards or thereabouts, and is at present unoccupied.

THE SECOND SCHEDULE.

If let for a Week or any longer Period.

Description.	After the rate per week of £	s.	d.
Shop, not movable, per superficial foot, inside measure - -	0	0	2
Office, desk, or box, whether movable or not, per superficial foot, outside measure - - - - - - - - -	0	0	4
Table, stand, bench, or stall, whether movable or not, per superficial foot - - - - - - - -	0	0	6
Cellar or basement, per superficial foot, inside measure - -	0	0	1½

Description.	After the rate per week of £	s.	d.
Space of the surface of the ground, not being a shop, table, stand, or stall, per superficial foot, if in a market place covered over from the weather - - - - - - - - -	0	0	4
Space of the surface of the ground in a place not covered over from the weather, per superficial foot - - - -	0	0	3

IF LET BY THE DAY OR FOR A TERM LESS THAN A WEEK.

	Per day.		
Office, desk, or box, whether movable or not, per superficial foot, outside measure - - - - - - -	0	0	2
Table, stand, bench, or stall, whether movable or not, per superficial foot - - - - - - - - - - -	0	0	3
Space of the surface of the ground, not being a shop, table, stand, bench, or stall, in a place covered over from the weather, per superficial foot - - - - - - - -	0	0	2
Space of the surface of the ground, not being a shop, table, stand, bench, or stall, in a place not covered over from the weather, per superficial foot - - - - - - - -	0	0	1½
During the fairs double the amount of tolls, stallages, or rents above mentioned may be taken for stalls, stands, benches, or spaces of ground occupied only by the day (except for spaces occupied for exhibitions of wild beasts or other shows or performances). The above-mentioned tolls and stallage in the markets and fairs to be paid and payable in respect of the occupation of any office, desk, box, table, stand, bench, stall, or space of ground, as well by the original taker or occupier thereof for a portion of the day or space of time as by any subsequent taker or occupier of the same for any other portion of the day or space of time.			
Any person offering or exposing any article saleable in the market by sample, either within the market or adjacent thereto, and not having any shop, office, desk, box, table, stand, bench, or stall, and not renting any space of the surface of the ground -	0	0	6
Any person offering or exposing for sale any articles saleable in the market, supported by hand or by or about the person in basket or otherwise - - - - - - -	0	0	6

	Amount of rate. £	s.	d.
Slaughter-house and pining-house, per superficial foot, inside measure, per week if let - - - - -	0	0	2
If not let, the following rates per head:			
Every bull, ox, cow, bullock, steer, or heifer slaughtered therein - - - - - - -	0	1	0
Every calf slaughtered therein - - - - - -	0	0	6
Every sheep or lamb slaughtered therein - - -	0	0	3
Every pig or hog slaughtered therein - - -	0	0	4
Every other animal slaughtered therein - - -	0	1	0

	Amount of rate. £	s.	d.
For every exhibition of wild beasts or other shows and performances occupying a space not exceeding forty feet superficial measure, for each day not exceeding	0	10	0
And if occupying a larger space than forty feet, then for every additional superficial foot for each day not exceeding	0	0	4
Every waggon-load of hay, straw, green fodder, or other agricultural produce exposed or offered for sale in the market, or in any street or place within a distance of five hundred yards therefrom	0	0	8
Ditto, when retailed	0	1	4
Every load of hay, straw, green fodder, or other agricultural produce, not being a waggon-load so exposed or offered	0	0	4
Ditto, when retailed	0	0	8
Every horse, gelding, or mare	0	1	0
Every colt, filly, foal, mule, or ass	0	0	6
Every bull, ox, cow, bullock, steer, or heifer	0	0	4
Every calf	0	0	1
Every head of swine, not being a sucking pig	0	0	1
Every sucking pig	0	0	$0\frac{1}{2}$
Every score of sheep, and so in proportion for any less number than a score	0	0	10

For Weighing.

Description.	Amount of rate.		
A hide	0	0	1
A flitch of bacon	0	0	1
A skin	0	0	1
A sheep, lamb, or calf	0	0	2
A pig	0	0	3
A bull, cow, bullock, steer, or heifer	0	0	4
Quarter of a bull, cow, bullock, steer, or heifer	0	0	1
Every load of hay, straw, or agricultural produce	0	0	6
Any article not included in the above description, if less than one hundredweight	0	0	1
If more than one hundredweight for each hundredweight and any fractional part of a hundredweight	0	0	1
For measuring any goods sold by measure, for each bushel or part of a bushel, and for any fractional part of a bushel, if more than a bushel	0	0	$0\frac{1}{2}$

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