ANNO SECUNDO

GULIELMI IV. REGIS.

****

Cap. viii.

An Act for establishing a Market in the Parish of *Walton-on-the-Hill* in the County Palatine of *Lancaster*. [24th *March* 1832.]

WHEREAS the Establishment of a Market for the Sale of Live Cattle and other Live Stock in the Parish of *Walton-on-the-Hill* in the County Palatine of *Lancaster* being an Accommodation and Advantage greatly desired by the Graziers, Cattle Salesmen, and Butchers who supply the populous Towns of *Liverpool* and *Manchester* in the said County with such Live Cattle and other Live Stock aforesaid for the general Use and Consumption of the Inhabitants thereof, several Persons, being Cattle Salesmen and Butchers, did, some Time ago, form a Society or Partnership, under the Name of the "New Cattle Market Association," for the Purpose of purchasing Land, and erecting and making suitable Buildings and other Conveniences thereon, to be used as a Market for the Sale of the Cattle and Live Stock aforesaid: And whereas the said Society or Partnership have subscribed and raised considerable Sums, and therewith have agreed to purchase a large Piece of Land situate in the Township and Manor of *West Derby* in the said Parish of *Walton*, and various Buildings and extensive Conveniences have been erected and made thereon, which said Land and Buildings are now and have been for some Time past used as a Market for the Sale of Live Cattle and other Live Stock: And whereas it is desirable that the said Company should be incorporated, and the said Market established; for the more effective and beneficial Regulation thereof, may it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent

Proprietors incorporated.

of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *John Clifford Etches*, *James Wilson*, *Dennis Daly*, *Michael Cullen*, *Edward Speed*, *Joseph Chaddock*, *Peter Varden*, *William Etches*, *William Strangman Robinson*, *James Hall*, *Benjamin Hallows*, *John Close*, *William Turner*, *Patrick Leonard*, *John Taylor*, and all and every such other Person or Persons, or Body or Bodies Politic, Corporate, or Collegiate, as from Time to Time shall become a Subscriber or Subscribers and be duly admitted a Proprietor or Proprietors as herein-after mentioned, and their respective Successors, Executors, Administrators, and Assigns, shall be and they are hereby united into a Company for the Purposes of this Act, and shall be and they are hereby declared to be one Body Politic and Corporate by the Name of "The *Liverpool* New Cattle Market Company," and by that Name shall have perpetual Succession and a Common Seal, and by that Name shall and may sue and be sued, plead and be impleaded, at Law or in Equity, and shall and may prefer and prosecute any Bill or Bills of Indictment or Information against any Person or Persons who shall commit any Felony, Misdemeanor, or other Offence indictable or punishable by the Laws of this Realm, and shall also have full Power and Authority to purchase and hold Lands, Tenements, and Hereditaments to them, their Successors and Assigns, for the Use of the said Undertaking, and also to sell and dispose of the said Lands, Tenements, and Hereditaments again, in manner by this Act directed, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Lands vested in Company for Purposes of this Act.

II. And be it further enacted, That all and singular the said Piece or Parcel of Land situate in the Township and Manor of *West Derby* in the said Parish of *Walton*, and the Buildings and other Conveniences thereon erected and made as aforesaid, when duly conveyed to the said Company, shall be vested in them and their Successors for the Purposes of this Act.

First and other General Meetings of Proprietors.

III. And be it further enacted, That the said Company of Proprietors shall meet together at some convenient House or Place within the Town of *Liverpool* or Township of *West Derby* within Six Calendar Months next after the passing of this Act, or as soon thereafter as conveniently may be, between the Hours of Eleven of the Clock in the Forenoon and Three of the Clock in the Afternoon, and shall then and there proceed in the Execution of this Act, and shall and may adjourn such Meeting from Time to Time, either to the same House and Place, or such other convenient House or Place in the said Town of *Liverpool* or Township of *West Derby*, as the said Proprietors shall think proper; and the Second General Meeting of the said Company of Proprietors shall be held at such Time and at such Place as the said Company of Proprietors at their First General Assembly shall appoint; and the like General Assemblies shall be held in the Month of *April* in every Year for the future, at which yearly General Assemblies the Accounts of the said Company shall be produced for the Inspection of the said Meeting; and also such and so many Special General Meetings of the said Proprietors shall be held as shall be called by the Directors or Proprietors as herein-after

provided, of which several General Meetings and Special General Meetings Seven Days public Notice at the least shall be given in Two Newspapers published in *Liverpool*, or by a Circular Letter addressed to each Proprietor (which said Notice shall specify the Purpose for which any such Special General Meetings are called); and all such General Meetings and Special General Meetings may be adjourned from Time to Time and from Place to Place as shall be found expedient; and at all such Meetings of the said Proprietors to be held as aforesaid, the Proprietors then present, not being fewer than Ten in Number, shall and may proceed to Business and act in the Execution of the several Powers hereby given to the said Company of Proprietors; and if it shall happen that there shall not appear at any one of the aforesaid Meetings of the said Proprietors a sufficient Number of the said Proprietors to act or to adjourn, (Ten Proprietors being hereby declared to be sufficient in all Cases to proceed to Business, and Five Proprietors being hereby declared sufficient for the Purpose of Adjournment only,) then and so often as the Case may happen such Meeting shall stand over and be deemed to be adjourned to the same Day in the following Week and at the same Place and Hour at which the same ought to have been held as aforesaid.

A certain Number of Proprietors may call a General Meeting.

IV. And be it further enacted, That in case any Ten or more of the said Proprietors, being jointly possessed of or entitled to Fifty or more Shares in the said Undertaking, and who shall each of them have been a Proprietor of the said Company for at least Six Calendar Months, shall think fit that a Special Meeting of the said Proprietors shall be holden, then it shall be lawful for them to call a Special Meeting of the said Proprietors to be held at such Hour and Place within the said Town of *Liverpool* as they shall think fit, provided Fourteen Days Notice of the Time and Place and Purport of such Special Meeting be given by the Persons calling the same by Advertisement in Two Newspapers published in *Liverpool*, and by leaving Notice thereof in Writing with the Clerk of the said Company for the like Number of Days, such Notice to specify the Reason and Intention of requesting such Special Meeting, and the Time when and the Place where the said Meeting shall be held; and at such Special Meeting it shall be lawful for the Proprietors then present, or the Majority of them, to proceed to transact the Business specified in the Notice for which such Special Meeting shall have been called, and no other.

Proceedings to be entered in a Book.

V. And be it further enacted, That the Orders and Proceedings of every Meeting, as well of the General or Special General Meetings of the Company as of the Directors, shall be entered in a Book or Books to be provided and kept for that Purpose, and shall be signed by the Person acting as the Chairman of each respective Meeting; and such Orders and Proceedings when so entered and signed shall be deemed and taken to be original Orders and Proceedings, and shall be allowed to be read in Evidence in all Courts, and before all Judges, Justices, and others, and shall be conclusive that the Order was made or Proceeding took place at a General or Special General Meeting or Meeting of Directors (as the Case may be) duly assembled under the Authority of this Act, and that the Person who subscribes the said Book or Books was Chairman

Chairman of the Meeting at which such Order was made or Proceeding took place, and that he signed the said Book, except so far as respects any Entry which One or more Proprietors of the said Company shall, within Six Calendar Months after the holding of such Meeting, show was not a faithful Record of any particular Matter or Proceeding at such Meeting.

In case of Difference of Opinion at a General Meeting, a Ballot may be demanded.

VI. And be it further enacted, That upon any Difference of Opinion at any General Meeting concerning any Business, Matter, or Thing that may be lawfully transacted or agitated at the same, any Ten Proprietors or more who shall be present at the Meeting, qualified to vote as herein-after provided, and who shall be Holders in their own Right of not less than Fifty Shares in the Aggregate of the Capital of the said Company, may, by Writing under their Hands, demand a Ballot if they think proper; and the same, if demanded at the Meeting by Writing under their Hands, but not otherwise, shall be granted, and the Day for taking the same shall be then fixed by the Chairman of the Meeting, and such Day shall be fixed as will allow sufficient Time for giving Notice of the same in the Manner herein-after provided; and every Ballot shall commence at Twelve of the Clock at Noon, and shall be kept open for Four Hours.

The Manner in which Notices are to be given.

VII. Provided also, and be it further enacted, That all Notices hereby directed to be given of any General or Special Meetings or Adjournments respectively, or of any Ballot or Ballots, or to any of the said Proprietors upon any particular Occasion, and not herein-before otherwise provided for, shall be given to the said Proprietors or such individual Proprietors respectively, by public Advertisement containing Information of the Object of the said Meeting, to be inserted in Two Newspapers circulated in the Town of *Liverpool*, or by a Circular Letter addressed to the said Proprietors respectively: Provided also, that if at such General Meeting or Special General Meeting of the said Company of Proprietors to be held under the Powers herein contained there shall not be Ten Persons present who shall together be possessed of or entitled unto at least Fifty Shares in the said Undertaking, no Business shall be transacted at any such Meeting excepting adjourning the same.

Proviso as to General or Special Meetings.

Regulations as to General Meetings, and Manner of voting, &c.

VIII. And be it further enacted, That at every General Meeting or Ballot all Questions shall be decided by a Majority of Votes of the Proprietors present, according to the respective Number of Shares which he, she, or they shall be entitled to or in Possession of, (that is to say,) One Vote in respect of each Share; but nevertheless it is hereby provided, that no Proprietor shall be entitled to more than Ten Votes in respect of any Number of Shares by him or her held in his or her own Right, nor more than the like Number of Votes in respect of each respective Right by which he or she may hold Shares in the said Undertaking, or be entitled to vote at any Meeting or Ballot of the said Company in respect of any Share or Shares which he or she may possess in the said Undertaking unless such Person shall have fully paid all Arrears due in pursuance of any Call or Calls which shall have been made upon or in respect of such Share or Shares by the said Directors for the Time being, nor shall any Person vote at

at any Meeting of the said Company upon any Question in which such Person shall be interested in any other way than as being a Proprietor in the said Undertaking.

The Person whose Name stands first as a joint Proprietor with others to be deemed the Owner, &c.

IX. And be it further enacted, That whenever Two or more Persons shall be jointly possessed of or entitled to any Share in the said Undertaking, the Person whose Name shall stand first on the Books of the said Company as the Proprietor of such Share shall for the Purposes of this Act be deemed and taken to be the Owner or Proprietor of such Share, and such Owners or Proprietors shall be entitled to give their Votes in respect thereof by the Person whose Name shall stand first on the Books of the said Company as Proprietor of such Share or Shares, and whose Vote shall on all Occasions be deemed and allowed to be the Vote for or in respect of the whole Property in such Share or Shares, without Proof of the Concurrence of the other Proprietor or Proprietors of such Share or Shares; and all Notices by this Act directed to be given to the Owners or Proprietors of any Share in the said Undertaking shall or may be given or sent to the Person whose Name shall so stand first in the Books of the said Company, or be left at the last or usual Place of Residence of such Person, or be inserted in the *London Gazette* as herein mentioned (as the Case may require); and such Notice to such Person shall be deemed and taken to be a sufficient Notice to all the Owners or Proprietors of such Share or Shares for all the Purposes for which such Notice is intended to be given.

Lunatics and Minors to vote by Committees and Guardians.

X. And be it further enacted, That in case any Proprietor entitled to vote at such Meetings as aforesaid shall be a Lunatic, Idiot, or Minor, such Lunatic or Idiot shall or may vote at such Meeting or Meetings by his or her Committee, or any One of such Committee, the other or others not dissenting; and such Minor shall or may vote by his or her Guardians, or by any One of such Guardians, the other or others not dissenting.

At Meetings of the Company who shall be Chairman.

XI. And be it further enacted, That at all General and Special General Meetings of the said Company the Chairman of the Directors to be chosen as herein-after mentioned, or in his Absence the Deputy Chairman of the said Directors, or in his Absence any one of the Directors of the said Company to be chosen at any such Meeting, or in the Absence of all the Directors any Proprietor to be chosen at such Meeting, shall preside as Chairman; and any such Chairman as aforesaid shall, in addition to his Vote or Votes as a Proprietor, have, in case of an Equality of Votes, the decisive or casting Vote.

Treasurer and Clerk to be appointed.

XII. And be it further enacted, That the said Company shall, at some General Meeting, elect and choose a Treasurer and Clerk for transacting the Business of the said Company; and it shall be lawful for the said Company, at any subsequent General or Special General Meeting to be holden as herein-before directed, from Time to Time to remove and displace such Treasurer and Clerk, or either of them, or any Person who shall hereafter be elected and appointed to their respective Offices, and shall also from Time to Time elect and choose in manner aforesaid any other Person to act as Clerk or Treasurer of

the said Company in the Room of such of the said Officers as shall die or resign or be removed from their respective Offices; and it shall be lawful for the said Company to allow such Salaries or other Emoluments to the said Officers, or either of them, as they shall from Time to Time fix and determine upon: Provided always, that the said Company shall and they are hereby required to take sufficient Security from every Person who shall hereafter be appointed Treasurer of the said Company, and from every Receiver, Collector, or other Officer having the Custody or Controul of any Money received by virtue of this Act, for the faithful Execution of his Office, before he shall have entered thereupon.

Treasurer to give Security.

Same Person not to be Clerk and Treasurer.

XIII. Provided always, and be it further enacted, That it shall not be lawful for the said Company to appoint the Person who may be appointed to act as their Clerk in the Execution of this Act, or the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of any such Clerk or of the Partner of any such Clerk, to be the Treasurer for the Purposes of this Act, or to appoint any Person who may be appointed Treasurer, or the Partner of such Treasurer, to be the Clerk to the said Company; and if any such Person shall act in both the Capacities of Clerk and Treasurer for the Purposes of this Act, or if any Person being the Partner of any such Clerk, or the Clerk of or other Person in the Service or Employ of such Clerk or of the Partner of such Clerk, shall act as Treasurer, or being the Partner of any such Treasurer or the Clerk of or other Person in the Service or Employ of such Treasurer or of the Partner of such Treasurer, shall act or in any Manner officiate as Clerk in the Execution of this Act, or if any Treasurer shall hold any Place or Office of Profit or Trust under the said Company other than that of Treasurer, every Person so offending shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered, with full Costs of Suit, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Plaint, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, nor more than One Imparlance, shall be allowed.

Directors may appoint a temporary Treasurer or Clerk.

XIV. And be it further enacted, That in case any Treasurer or Clerk of the said Company shall die, or be removed from or quit the Service of the said Company, it shall be lawful for the said Company, at their Stated or Special General Meetings, or for the Directors of the said Company, to appoint any other fit or proper Person to execute such Office or Offices in the Place of the Person or Persons who shall so die, or be removed from or quit the Service of the said Company; and in case any such new Appointment shall be made by the said Directors, the same shall only continue until the next Annual General Meeting of the said Company, when the Appointment of such Person or Persons to such respective Office or Offices shall either be confirmed, or such other fit Person or Persons appointed to succeed in such Offices as the said Company, at such Annual General Meeting, shall think proper.

XV. And

Treasurer, &c. not to issue Money without an Order.

XV. And be it further enacted, That no Sum or Sums of Money shall be issued by the Treasurer or Treasurers, or other Officer or Officers to be appointed by the said Company, on account of the said Company, without an Order or Orders in Writing signed by Five at least of the said Directors.

Account to be kept of Receipts and Disbursements.

XVI. And be it further enacted, That the said Company, or the Directors thereof, shall and they are hereby required, from Time to Time and at all Times, to order and direct a Book or Books to be provided and kept by their Treasurer or Book-keeper for the Time being, in which Book or Books such Treasurer or Book-keeper shall enter or cause to be entered true and regular Accounts of all Sums of Money received, paid, laid out, and expended for and on account of this Act, and of the several Articles, Matters, and Things for which any Sums of Money shall have been disbursed, laid out, and paid; which Book or Books shall, at all reasonable Times, be open to the Inspection of the said Proprietors in the said Undertaking, or any Creditor or Creditors on the Tolls or Rates granted by this Act, without Fee or Reward; and the said Proprietors in the said Undertaking, and Creditors, shall and may take Copies of or Extracts from the said Book or Books, or any Part or Parts thereof, without paying any thing for the same; and in case the said Treasurer or Book-keeper shall refuse to permit or shall not permit the said Proprietors or such Creditors, or any of them, to inspect the same at all seasonable Times, or take such Copies or Extracts as aforesaid, such Treasurer or Book-keeper shall forfeit and pay any Sum not exceeding Five Pounds.

Officers to account.

XVII. And be it further enacted, That every Officer and Person who shall be appointed or employed by virtue of this Act shall from Time to Time, when thereunto required by the said Directors or by the said Company, make out and deliver to the said Directors or Company, or to such Person or Persons as they shall respectively appoint for that Purpose, a true and perfect Account, in Writing under his or her Hand, of all Monies which shall have been by them or her had, collected, and received, and how and to whom and for what Purpose the same and every Part thereof hath or have been disposed of, together with Vouchers and Receipts for such Payments; and every such Officer and Person shall and is hereby required to pay all such Monies as upon the Balance of such Account shall appear to be owing from him or her to such Person or Persons as the said Directors or the said Company shall appoint to receive the same; and if any such Officer or Person shall refuse or neglect to render such Account, or to produce and deliver up the Vouchers and Receipts relating to the same, or to pay the Balance thereof, when thereunto required in Manner aforesaid, or shall refuse or neglect to deliver up to the said Directors or to the said Company, or to such Person or Persons as they shall respectively appoint, within Twenty-one Days after being thereunto required by the said Directors or by the said Company, or by such other Person or Persons, all Books, Papers, and Writings in his or her Custody or Power relating to the Execution of this Act, then and in every such Case, Complaint being made thereof by the said Directors or by the said Company, or by any Person on their Behalf,

Behalf, to any Justice of the Peace for the County Palatine of *Lancaster* (within their respective Jurisdictions), such Justice may and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause such Officer or Person to be brought before him, and upon his or her appearing, or not to be found, to hear and determine the Matter of such Complaint in a summary Way, and to settle the said Account, if produced, in such Manner as the said Directors or the said Company might have done; and if upon the Confession of the Officer or Person against whom such Complaint shall be made, or by the Oath of any credible Witness, it shall appear to such Justice that any of the Monies which shall have been collected and received shall be in the Hands of or be owing from such Officer or Person, such Justice may and is hereby empowered, upon Nonpayment thereof, by Warrant under his Hand and Seal, to cause such Money to be levied by Distress and Sale of the Goods and Chattels of such Officer or Person; and if no Goods or Chattels be found sufficient to answer and satisfy the said Monies, and the Charges of taking and making such Distress, and of selling the same, or if such Officer shall not appear before such Justice at the Time and Place appointed for that Purpose, or if appearing shall refuse or neglect to make out and deliver to such Justice such Account in Writing as aforesaid, or to produce and to deliver to the said Justice the several Vouchers and Receipts relating to such Accounts, or to deliver up such Books, Papers, and Writings as aforesaid, then and in any of the Cases aforesaid the said Justice may and is hereby authorized and required, by Warrant under his Hand, to commit such Officer or Person to the Common Gaol or House of Correction of the said County Palatine of *Lancaster*, there to remain without Bail or Mainprize until he or she shall have delivered up the Vouchers and Receipts relating thereto, and shall have paid all the Money which shall appear to be in the Hands of or owing from him or her, and the reasonable Charge of such Distress and Sale (if any) as shall in that respect have been made, or until he or she shall have compounded with the said Directors or with the said Company for such Money and Charges, and paid the Compensation Money to the said Directors or the said Company, (and which Compensation the said Directors and the said Company are hereby respectively empowered to make,) and shall have delivered up all such Books, Papers, and Writings as aforesaid or have given Satisfaction in respect thereof to the said Directors or to the said Company: Provided always, that no Person who shall be committed for Want of sufficient Distress only shall be detained in Prison for any longer Space of Time than Six Calendar Months.

Accounts to be made up annually.

XVIII. And in order to ascertain the Amount of the clear Profits of the said Undertaking, be it further enacted, That the said Company, or the Directors of the said Company, shall and they are hereby required to cause a true, exact, and particular Account to be kept, and annually made up and balanced on the Twenty-fifth Day of *March* in each Year, of the Money collected and received by the said Company, or by the Directors or Treasurer of the said Company, or otherwise, for the Use of the said Company by virtue of this Act, and of the Charges and Expences attending the erecting, making, supporting, maintaining, and carrying on the said Market and Con-

veniences, and all other the Receipts and Expenditure of the said Company or the said Directors; and at the Yearly Meeting of the Proprietors of the said Undertaking to be from Time to Time holden as aforesaid, or at some Adjournment thereof, a Dividend shall be made out of the clear Profits of the said Undertaking, unless such yearly Meeting shall declare otherwise; and such Dividend shall be at and after the Rate of so much *per* Share upon the several Shares held by the Members thereof in the Joint Stock of the said Company, as such Meeting or Meetings shall think fit to appoint and determine: Provided always, that no Dividend shall be declared or paid until the Yearly General Meeting which shall be holden next after the Expiration of One Year from the passing of this Act: Provided also, that no Dividend shall be made whereby the Capital of the said Company shall be in any degree reduced or impaired, nor shall any Dividend be paid in respect of any Share after a Day appointed for Payment of any Call for Money in respect thereof, until such Call shall have been paid.

Meeting to call for Accounts.

XIX. And be it further enacted, That it shall be competent for every General Annual Meeting, if a Majority of the Proprietors then present shall require it, to call for and examine the Accounts of the said Company and of the Directors, and of the Treasurer, Receivers, or Collectors of the Rates, and other Officers of the said Company.

Business of Special and Adjourned General Meetings.

XX. And be it further enacted, That no Business shall be transacted at any Special General Meeting other than the Business for which it shall have been called; and no other Business shall be transacted at any adjourned Special or General Meeting than the Business left unfinished at the Meeting from which such Adjournment took place.

Appointment of Directors.

XXI. And be it further enacted, That *John Clifford Etches*, *James Wilson*, *Dennis Daly*, *Michael Cullen*, *Edward Speed*, *Joseph Chaddock*, *Peter Varden*, *William Etches*, *William Strangman Robinson*, *James Hall*, *Benjamin Hallows*, *John Close*, *William Turner*, *Patrick Leonard*, and *John Taylor* be the first and present Directors of the Company; and that at no future Time there shall be more than Fifteen Directors of the said Company.

Retirement of Directors.

XXII. And be it further enacted, That on the said General Meeting which will be held in the Month of *April* One thousand eight hundred and thirty-three, or at any Adjournment thereof, Five of the present Directors, to be determined amongst themselves, shall go out of Office; and on the Day on which each of the Two next following General Meetings in the said Month of *April* shall be held, or at some Adjournment thereof, Five more of the said present Directors, to be also determined amongst themselves, shall go out of Office; and at every subsequent General Meeting which shall be held in the Month of *April*, or at some Adjournment thereof, such Five of the Directors as shall have been the longest in Office shall go out.

Annual Election of Directors.

XXIII. And be it further enacted, That at the said General Meeting which will be held in the Month of *April* One thousand eight hundred and thirty-three, or at some Adjournment thereof, and at every General Meeting which shall be held afterwards in the said Month of *April*, or at some Adjournment thereof, Five new Directors (being Proprietors of Shares in the said Undertaking) may be elected in the place of Five of the former Directors; nevertheless the said former Directors whose Office shall then have expired, or any of them, may (if otherwise eligible) be again immediately re-chosen; and in case the Directors, by Death, Resignation, or Disqualification, shall be reduced to the Number of Eleven, such Vacancy shall from Time to Time be filled up at a Special General Meeting to be called for that Purpose within Twenty-one Days next after such Reduction in Number shall happen; and the Persons so to be chosen to fill such Vacancy or Vacancies shall (being duly qualified) continue in Office upon the same Terms and only for the same Period as the Persons whose Places they shall supply would have continued if their Office had not been vacated before the Time at which they must (according to the Provisions herein-before contained in this Act) have gone out of Office.

Powers of this Act may be exercised by any Five Directors.

XXIV. And be it further enacted, That all the Powers and Authorities hereby given to and vested in the Directors for the Time being of the said Company shall and may at all Times and in all Cases and for all Constructions and Purposes be exercised by any Five or more of the same Directors.

Qualification of Directors.

XXV. Provided always, and be it further enacted, That no Person shall be eligible to be elected one of the Directors of the said Company unless at the Time of his Election he shall be entitled to Five Shares at the least in the said Undertaking.

Directors interested not to vote.

XXVI. Provided always, and be it further enacted, That if any Proprietor who shall be elected a Director as aforesaid shall be or become a Dealer, either directly or indirectly, in any Article to be used or provided by the said Company, or shall be concerned, directly or indirectly, in any Contract under the said Company, or shall take or participate in any Work to be done for the said Company, every such Proprietor shall forthwith cease to be a Director of the said Company; and no Director shall be capable of taking any such Contract whilst he shall be a Director of the said Company.

Proprietors may remove Directors for Misconduct.

XXVII. And be it further enacted, That it shall be lawful for the Proprietors of the said Company, at any General Meeting specially summoned for such Purpose in manner aforesaid, to remove from his Office any Director for Misconduct in Office, or any other reasonable Cause: Provided always, that the Resolution for any such Removal shall be carried in the Affirmative by Two Thirds at least in Number and Value of the Proprietors who shall vote at such Meeting: Provided also, that if at such Meeting there shall not be Persons present who shall be possessed of or entitled unto at least One hundred Shares in the said Undertaking, no Business shall be done at such Meeting, but the Meeting shall be adjourned for the

same particular Purpose to the same Place, from Time to Time until there shall be present Proprietors who shall be possessed of One hundred Shares as aforesaid; and the same Rules, Regulations, Penalties, and Provisions as are herein prescribed with respect to the General Meetings for choosing Directors shall be applicable to the Meetings to be held for removing them.

Meeting of Directors.

XXVIII. And be it further enacted, That the said Directors shall or may hold their First Meeting within Thirty Days after the passing of this Act, at such Time and Place within the said Town of *Liverpool* or Township of *West Derby* as they shall think proper, and shall have full Power and Authority to adjourn such First Meeting, and again to meet and adjourn from Time to Time and from Place to Place within the said Town or Township as they shall think fit; and the said Directors shall appoint One of the Directors to preside as Chairman; and all Questions, Matters, and Things which shall be proposed, discussed, or considered by the said Directors at any of their Meetings shall be decided and determined by a Majority in Number of the Members present (the whole Number present not being less than Five); and in case of an Equality of Votes upon any Question, including the Vote of the Chairman for the Time being, such Chairman shall have the decisive and casting Vote; and if on the Day appointed for any Meeting of the said Directors Five Members qualified to vote shall not attend, then and in every such Case the Meeting shall be adjourned till such Time as the Members or Member then present, or, if none be present, as the Clerk of the said Company, or such other Person as shall attend in his or their Place, shall appoint; and any or either of the Directors may, at any Time when he or they shall think fit, call a Meeting of the Directors by Notice in Writing signed by such Directors or Director, to be sent by the Post or otherwise to the Residence or Address of every Director.

Power of Directors.

XXIX. And be it further enacted, That the Court of Directors for the Time being shall have the Custody of the Common Seal of the said Company, and shall have full Power and Authority to meet and adjourn from Time to Time, and from Place to Place within the said Town of *Liverpool* or Township of *West Derby*, and also at any Time to call Special Meetings of the said Company for any Purpose they may think proper, and to appoint the Times and Places in the said Town and Township of holding General and Special Meetings, and to direct the Affairs and Business of the said Company, as well in issuing, receiving, and laying out and disposing of all Sums of Money to be issued or received, laid out or disposed of, for the Purposes of the said Company, as in contracting for and purchasing Messuages, Lands, Tenements, Hereditaments, Materials, Goods, and Chattels for the Use of the said Undertaking, and in nominating, electing, appointing, placing, or displacing any Collector, Inspector, Porter, or other Officer or Servant of the said Company, (not being a Treasurer or Clerk of the said Company, who are to be elected and appointed at a General Meeting of the Company as herein-before mentioned,) and with such Salaries, Gratuities, or other Recompence as to the said Court of Directors shall seem proper; and in making, enforcing,

enforcing, and rescinding, compounding and compromising, all Contracts and Bargains touching or in anywise concerning the Undertaking, subject to such Orders, Bye Laws, Rules, and Regulations as shall at any Time be duly made by the said Company in Restraint, Controul, or Regulation of the Powers and Authorities by this Act granted; and the said Court of Directors may require such Security to be given to the said Company of Proprietors from any Clerk, Collector, Officer or Officers (not being a Treasurer of the said Company), or other Person, for the faithful Execution of their respective Offices or Duties, as they may think proper or reasonable.

Directors to be under Controul of General Meetings.

XXX. And be it further enacted, That all Directors shall keep a regular Minute or Entry of their Proceedings, and from Time to Time make Reports to, and be subject to the Examination and Controul of, the said General and Special Meetings of the said Company as aforesaid, and shall pay due Obedience to all such Orders and Directions in and about the Premises as shall from Time to Time be made by the said Company at any such General or Special Meetings, such Orders and Directions not being contrary to any express Directions or Provisions in this Act contained.

Directors may appoint Committees, with Power to make Contracts, &c.

XXXI. And be it further enacted, That it shall be lawful for the said Directors to nominate and appoint, out of their own Body, a Committee or Committees who shall have full Power and Authority to enter into and make any Contracts or Agreements on behalf of the said Company, and to hire and employ any Agents, Workmen, or Servants in or about the said Undertaking, and to do, execute, and perform all other Matters and Things whatsoever in or about the said Undertaking which the said Directors themselves are herein-before authorized to do, or such of them as the said Directors shall think proper to intrust to the Care and Management of any such Committee or Committees (save and except nevertheless the making of Calls for Money upon the Proprietors of the said Undertaking); and it shall be lawful for the said Directors for the Time being to order and direct such Compensation or Recompence to the Committee or Committees from Time to Time as they shall think reasonable; and it shall be lawful for the said Directors, by an Order or Resolution for that Purpose, to break up and dissolve any such Committee or Committees, or to remove or displace any of the Members thereof, and to appoint others in their Place and Stead, when and as often as such Directors shall think proper; and such Committees shall have full Power and Authority to meet from Time to Time and adjourn from Place to Place as they shall think proper, and as Occasion shall require, for effecting the Purposes aforesaid; and all Powers and Authorities hereby vested or which shall by the said Directors be vested in any such Committee, within the Intent and Meaning of this Act, shall and may be exercised by the major Part of the Members present at the respective Meetings of such Committee, and all Questions shall be decided thereat by the Majority of Votes.

Directors may make Calls.

XXXII. And be it further enacted, That the Directors for the Time being of the said Company shall have full Power and Authority to make such Call or Calls for Money from the several Proprietors or Sub-

Subscribers of Shares in the said Undertaking, their Executors, Administrators, Successors, and Assigns, as the said Directors shall from Time to Time find expedient for the Purpose of the said Undertaking, so that the total Amount of such Calls shall not exceed the Sum subscribed for by the several Proprietors; and the several Sums of Money which shall be so called for shall be paid into the Hands of the Treasurer of the said Company for the Time being at such Times and Places as shall be appointed by the Directors, of which Times and Places Fourteen Days Notice at least in Writing shall be given by the Clerk of the said Company to the several Persons liable to pay such Calls, which Notice may be sent by the Post, or in such other Manner as the said Directors shall direct in that Behalf.

For enforcing Payment of Calls.

XXXIII. And be it further enacted, That the several Persons who have already subscribed for and towards the said Undertaking, and who shall at any Time hereafter subscribe for, have, or hold any Share or Shares in the same, shall and they are hereby respectively required to pay the Sum or Sums of Money by them respectively subscribed and to be subscribed for, or such Parts or Portions thereof as shall from Time to Time be called for pursuant to the Powers and Directions of this Act, at such Times and Places, to such Person or Persons, and in such Manner as shall be ordered and directed by the said Directors for the Time being; and in case any Person or Persons shall neglect or refuse to pay any such Money at such Time or Times and in such Manner as shall be ordered and directed by the said Directors as aforesaid, it shall be lawful for the said Company to sue for and recover the same by Action of Debt or otherwise in any of His Majesty's Courts of Record at *Westminster*, together with lawful Interest for the same from the appointed Time or Times of Payment, and full Costs of Suit, from such Person or Persons respectively; and in like Cases of Neglect or Refusal where Two or more Persons shall have jointly subscribed for or be jointly possessed of One or more Share or Shares in the said Undertaking, then in like Manner to sue for and recover the same from all or any of such joint Subscribers.

On Nonpayment of Calls the same may be sued for, or the Shares forfeited and sold.

XXXIV. Provided always, and be it further enacted, That if any Person or Persons shall neglect or refuse to pay his, her, or their Proportion of any Money to be called for by virtue of the Powers of this Act during the Space of Three Calendar Months next after the Time appointed for Payment thereof, then and in every such Case the same may be sued for and recovered by the said Company as last hereinbefore is mentioned, or otherwise, at the Option of the said Directors, such Person or Persons so neglecting or refusing shall absolutely forfeit all his, her, or their Share, Part, or Interest in the said Undertaking and Capital Stock and all Profit and Advantage thereof, and all Money theretofore advanced by him, her, or them on account thereof, to and for the Use and Benefit of the rest of the said Company; and all Shares which shall be so forfeited shall or may be sold at a public Sale for the most Money that can be gotten for the same, and the Produce thereof shall be applied and disposed of in manner by this Act directed.

No Advantage to be taken of Forfeiture of Shares until after 14 Days Notice.

XXXV. Provided also, and be it further enacted, That no Advantage shall be taken of any such Forfeiture of any Share or Shares until after Fourteen Days Notice in Writing shall have been given by the Clerk of the said Company to the Proprietor or Proprietors thereof, or shall have been sent by the Post to, or left at his, her, or their last known or usual Place of Abode, and in case such Proprietor or Proprietors shall not have had or shall not have a known fixed Place of Residence, then public Notice shall be given by Advertisement Fourteen Days at least in the *London Gazette*, nor unless the same Share or Shares shall be declared to be forfeited at some Special Meeting of the said Directors; and every such Forfeiture when so declared shall be an absolute Indemnification and Discharge to and for the Proprietor or Proprietors who shall have incurred such Forfeiture, and his, her, or their Executors, Administrators, Successors, and Assigns, against all Actions, Suits, and Proceedings whatsoever in Law or in Equity for any Breach of Contract between such Proprietor so forfeiting and the said Company, in regard to the future Proceedings of the said Undertaking.

If Purchase Money of such Shares shall be more than sufficient to pay Arrears of Calls and Interest, and Expences thereon, the Surplus to be paid to the Owner, on Demand.

XXXVI. Provided always, and be it further enacted, That in case the Money produced by the Sale of any such forfeited Share or Shares shall be more than sufficient to pay all such Arrears of Calls as aforesaid, and legal Interest thereon, and the Expences attending the Sale or Sales thereof, the Surplus of such Money shall be paid, on Demand, to the Person or Persons to whom such Share or Shares shall have belonged: Provided also, that the said Company or the Court of Directors shall not by virtue of this Act sell or transfer, or direct to be sold or transferred, any more of such Shares of such Defaulter or Defaulters than shall be deemed sufficient, as near as may be at the Time of such Sale, to pay the Arrears due from such Defaulter or Defaulters for or on account of such Call or Calls, and the Interest and Expences attending the same; and from and after Payment of all such Calls, and the Interest and Expences attending the same, any Share or Shares vested in the said Company as aforesaid which shall remain in their Hands unsold shall revert to and again become the Property of the Person or Persons to whom such Share or Shares shall have belonged immediately before such Forfeiture as aforesaid in such Manner as if such Calls had been duly and regularly paid.

Proprietors in arrear not to vote.

XXXVII. Provided also, and be it further enacted, That no Proprietor in arrear for any Call shall at any Meeting be allowed to vote or give his Voice in the Agitation of any Question respecting the Concerns of the said Company, either personally or by Proxy, until such Time as he shall have paid all such Arrears as may be due from him in respect of such Calls, although the Time limited for Payment thereof may not have expired.

Acts of Persons acting as Directors, Clerk, Secretary, &c. to be valid,

XXXVIII. And be it further enacted, That all Votes, Acts, Deeds, and Things given, done, and executed, or suffered to be given, done, and executed, for or on account of the said Company, by any Person ostensibly filling the Office either of a Director, Clerk, Secretary, or Treasurer of the Association, or of Chairman at a General Meeting

or at a Meeting of Directors, or in the Right or by virtue of which he shall assume to give, do, or execute such Votes, Acts, Deeds, or Things to be given, done, and executed, shall be valid, binding, and conclusive on the Company and the Proprietors thereof, and all other Persons whatsoever, notwithstanding his Election or Appointment to such Office shall have been irregular or invalid: Provided nevertheless, that no Vote, Act, Deed, or Thing given, done, or executed, or suffered to be given, done, or executed, by such Person after a Protest against the Regularity or Validity of his Election or Appointment shall have been made by any One or more of the Proprietors of the Company in Writing under their or his Hands or Hand, shall be valid or binding if the Election or Appointment of such Person shall have been actually irregular or invalid; but no Protest against the Regularity or Validity of the Appointment of the Person in the Chair at any General Meeting or Meeting of Directors shall be binding unless made at the Time of his taking the Chair.

although their Appointments may have been irregular.

XXXIX. And be it further enacted, That the Capital or Joint Stock of the said Company shall be considered as consisting of the Sum of Fifteen thousand Pounds, of which Eleven thousand five hundred and sixty-six Pounds hath already been paid, the whole of which shall be divided into Six hundred Shares of Twenty-five Pounds each, and such Six hundred Shares shall be numbered, beginning with Number One, in arithmetical Progression, whereof the common Excess or Difference shall be One, and every such Share shall always be distinguished by the Number to be applied to the same; and the said Shares shall be and are hereby invested in the several Persons so raising and contributing to the same, and their several and respective Successors, Executors, Administrators, and Assigns, to their and every of their proper Use and Benefit, proportionably to the Sums they severally raise and contribute; and all Bodies Politic, Corporate, and Collegiate, and all Persons, and their several and respective Successors, Executors, Administrators, and Assigns, who shall severally subscribe for One or more Share or Shares (or such Sum or Sums as shall be demanded in lieu thereof) towards carrying on and completing the said Undertaking and other the Purposes of the said Subscription, shall be entitled unto and receive, (at such Time and Times as the said Company or their Directors, at any General or Special Meeting to be convened for that Purpose in such Manner as Meetings on other Occasions are directed to be convened, direct and appoint,) in proportionable Parts, according to the respective Sums so by them respectively paid, the net Profits and Advantages which shall and may arise and accrue by the Rates and other Sums of Money to be raised, recovered, or received by the said Company, as and when the same shall be divided by the Authority of this Act; and every Body Politic, Corporate, or Collegiate, or Person, having such Property in the said Undertaking as aforesaid, shall bear and pay a proportionable Sum towards carrying on the same, in the Manner herein directed and appointed.

Proprietors to raise amongst themselves the Sum of 15,000*l.* to be divided into Shares of 25*l.* each.

XL. And be it further enacted, That all and every the Shares of and in the said Undertaking or the Joint Stock or Fund of the said Company

Shares to be Personal Property.

Company shall be deemed Personal Estate, and be transmissible as such, and shall not be deemed to be of the Nature of Real Property.

Subscribers liable to the Debts of the Company in proportion to their Share of Stock.

XLI. And be it further enacted, That the several Persons composing the said Company shall severally and respectively stand responsible and answerable for all just Debts and Demands of the Creditors of the said Company, to the full Amount of their several and respective Shares in the Capital of the said Joint Stock, but no further: Provided always, that whenever Two or more Persons shall have jointly subscribed for or shall be jointly possessed of any One Share in the said Undertaking, such Persons shall severally and respectively be answerable for the whole Amount of such Share, but no further or otherwise than as aforesaid.

To compel Payment of Subscriptions.

XLII. And be it further enacted, That the several Persons who have subscribed or who shall hereafter subscribe to advance any Money for or towards making or maintaining the said Market, and for other the Purposes of this Act, shall and they are hereby required to pay the Sum or Sums of Money by them respectively subscribed, or such Parts or Proportions thereof as shall from Time to Time be called for by the said Company, or by the Directors of the said Company named and appointed as herein-after mentioned under and by virtue of the Powers and Directions of this Act, at such Times and Places as shall be directed by the said Company or by the said Directors; and in case any Person or Persons shall refuse or neglect to pay the same at the same Time and in the Manner required for that Purpose, it shall and may be lawful for the said Company to sue for and recover the same in any Court of Law or Equity.

Application of Monies to be raised.

XLIII. And be it further enacted, That all the Monies to be raised by the said Company by virtue of this Act shall be laid out and applied in the first place for and towards the Payment, Discharge, and Satisfaction of all Costs, Charges, and Expences incurred in applying for, obtaining, and passing this Act, and of all other Expences preparatory or relating thereto; and all the Residue and Remainder of such Money shall be applied in and towards purchasing Lands and Grounds, and making, completing, and maintaining the said Market, and other Purposes of this Act.

Names of Proprietors to be entered, and Certificates of their Shares to be delivered to them.

XLIV. And for the better securing to the several Proprietors of the said Undertaking their respective Shares therein, be it further enacted, That the said Company shall and they are hereby required, at their First or some subsequent General Meeting, to cause the Names and proper Additions of the several Persons who shall then be entitled to Shares in the said Undertaking, with the Number of Shares which they are then respectively entitled to hold, and the Amount of the Subscriptions paid thereon, and also the proper Number by which every Share shall be distinguished, to be fairly and distinctly entered in a Book to be kept by the Clerk of the said Company, and after such Entry made to cause their Common Seal to be affixed thereto; and shall also cause a Certificate or Ticket, with the Common Seal of the said Company affixed thereto, to be delivered to every such

such Subscriber, on Demand, specifying the Share or Shares to which he, she, or they is or are entitled in the said Undertaking, every such Proprietor paying to the Clerk of the said Company Two Shillings and Sixpence, and no more, for every such Certificate or Ticket; and such Certificate or Ticket shall be admitted in all Courts whatsoever as *primâ facie* Evidence of the Title of such Subscriber, his or her Executors, Administrators, or Assigns, to the Share or Shares therein specified; but the Want of such Certificate or Ticket shall not hinder or prevent the Owner of any of the said Shares from selling or disposing thereof; which said Certificate or Ticket may be in the Words or to the Effect following; *videlicet*,

'*Liverpool* New Cattle Market Company.

Form of Certificate.

'Number

'THESE are to certify, That of is a Proprietor 'of the Share Number of the 'subject to the Rules, Regulations, and Orders of the said Company; 'and that the said his [*or* her] Executors, Administrators [*or* Successors], and Assigns, is and are entitled to the Profits 'and Advantages of such Share. Given under the Common Seal of 'the said Company the Day of in the Year of our 'Lord .'

For granting new Certificates when old ones are destroyed or worn out.

XLV. And be it further enacted, That if any such Certificates or Tickets as aforesaid shall be worn out or damaged, then upon the same being brought or shown to the Clerk of the said Company, such Certificates or Tickets may be cancelled and destroyed, and other similar Certificates or Tickets given under the Common Seal of the said Company to the Person or Persons in whom the Property of such Certificates or Tickets, and the Shares therein mentioned, shall be at that Time vested; or in case such Certificates or Tickets shall be lost or burnt or totally destroyed, then, upon due Proof thereof, like or similar Certificates or Tickets shall be given to the Person or Persons who was or were the Owner or Owners of or entitled to such Certificates or Tickets so lost, burnt, or destroyed; and a due Entry of the Transfer of such Certificates or Tickets (if any such have been made) shall be entered by the Clerk of the said Company in manner herein directed, the said Clerk receiving for every such Certificate or Ticket which shall be so given or exchanged the Sum of Two Shillings and Sixpence, and no more.

Shares may be sold.

XLVI. And be it further enacted, That it shall be lawful for the several Proprietors of Shares in the said Undertaking, and their respective Executors, Administrators, and Successors, to sell and dispose of any Share to which they shall be entitled therein, subject to the Rules and Conditions herein mentioned; and the Form of Conveyance may be in the following Words, or to the like Effect, varying in the Names and Descriptions of the contracting Parties, as the Case may require:

Form of Conveyance.

'I of in consideration of paid 'to me by of do hereby assign and transfer 'to the said Share [*or* Shares, *as the Case may be*,] num- 'bered of and in the Undertaking called "The *Liverpool* 'New Cattle Market Company", to hold unto the said

'his [*or* her *or* their] Executors, Administrators, and Assigns [*or* Suc-
'cessors and Assigns] subject to the same Rules, Orders, Restric-
'tions, and Conditions as I held the same immediately before the
'Execution thereof; and I the said do hereby agree to
'accept and take the said Share [*or* Shares] subject to the same
'Rules, Orders, Restrictions, and Conviction. As witness our Hands
'and Seals the Day of .'

And on every such Sale, the Deed or Conveyance, being executed by the Seller and Purchaser of such Share or Shares, shall be kept by the Clerk of the said Company, who shall enter in a proper Book to be kept for that Purpose a Memorial of such Transfer and Sale, and indorse the Entry of such Memorial on the said Deed of Sale or Transfer, for which no more than Two Shillings and Sixpence shall be paid, and the said Clerk is hereby required to make such Entry of Memorial accordingly; and, on Request, a Certificate or Ticket of each Share shall be delivered by him to the Purchaser, for his Security, and for which Certificate no more than Two Shillings and Sixpence shall be paid; and after such Deed of Transfer shall have been made and entered as above directed, the Seller of such Share shall thenceforth be released from all Liability in respect of the Share thereby transferred, any thing in this Act contained to the contrary notwithstanding; and until such Memorial shall have been made and entered as above directed, such Purchaser shall have no Part or Share of the Profits of the said Undertaking, nor any Interest for such Shares paid to him, nor any Vote in respect thereof, as a Proprietor of the said Undertaking.

No Shares to be sold after a Call, until Money is paid.

XLVII. Provided always, and be it further enacted, That after a Call for Money shall be made by virtue of this Act, no Person or Persons shall sell or transfer any Share or Shares which he, she, or they shall possess in the said Undertaking, after the Day appointed for Payment of the said Call, until the Money so called for in respect of his, her, or their Share or Shares intended to be sold shall be paid; and until such Money so called for shall be paid, any such Sale or Transfer of any Share or Shares shall be void, and every Person making Default herein shall be subject and liable to forfeit such his or her Share or Shares in the said Undertaking, unless he or she shall, at the Time of such Sale or Sales or Transfer, pay to the Treasurer of the said Company the full Sum of Money called for upon every Share so to be sold or transferred; such Forfeitures nevertheless to be first notified and declared in manner directed by this Act with respect to Forfeiture of Shares for not answering the Calls to be made thereon.

For ascertaining the Proprietorship of Shares in certain Cases.

XLVIII. And whereas in Cases where the original Holder or Proprietor or Holders or Proprietors of any Shares in the said Undertaking shall die, become insolvent or bankrupt, or go out of the Kingdom, or shall transfer his, her, or their Right and Interest to some other Person or Persons, and no Register shall have been made of the Transfer thereof with the Clerk of the said Company, it may not be in the Power of any Officer acting for the said Company to ascertain who is or are the Owner or Proprietor or Owners or Pro-

prietors of such Share, in order to give him, her, or them, or his, her, or their Executors, Administrators, Successors, or Assigns, Notice or Notices of Calls to be made on such Share, or to maintain any Action or Suit or other Proceeding against him, her, or them, or his, her, or their Executors, Administrators, or Assigns, for the Recovery of the same; be it therefore enacted, That in all the Cases aforesaid, where the Right and Property of any Share in the said Undertaking shall pass from the original Subscriber or Subscribers, or any Proprietor thereof, to any other Person by any other legal Means than by a Transfer or Conveyance thereof in the Form and Manner herein specified or herein otherwise provided, an Affidavit shall be made and sworn to by Two credible Persons, before any of His Majesty's Justices of the Peace for the County Palatine of *Lancaster*, stating the Manner in which such Share hath passed to such other Person, his or her Executors, Administrators, Successors, or Assigns; and such Affidavit shall be delivered to and left with the Clerk of the said Company, to the Intent that he may preserve the same, and enter and register the Name or Names of every such other Proprietor or Proprietors in the Register Book or List of Subscribers and Proprietors of the said Undertaking to be kept in the Office of the said Company; and in all or any of the said Cases, after Fourteen Days Notice in Writing shall have been given by the said Directors, under the Hand of the Clerk or Treasurer of the said Company, to the Person or Persons stated or claiming in such Affidavit to be the Owner or Owners of such Share or Shares, or left at his, her, or their last or usual Place of Abode, to pay his, her, or their Proportion of Money to be called for, and if such Person or Persons, his, her, or their Executors, Administrators, Successors, or Assigns, shall not have paid such his, her, or their Proportion as aforesaid, it shall be lawful for the said Company, at any General Meeting or Special General Meeting after the Expiration of such Notice, to declare the same Share or Shares to be forfeited, and in such Case the same shall become forfeited, and shall and may be sold and disposed of in such Manner as any other forfeited Shares may by this Act be sold or disposed of by the said Company; and in case there shall be no such Affidavit made and filed as aforesaid, then and in that Case such Notice as is herein-before directed to be given shall be served upon or left at the last Place of Abode of the Executors or Administrators of such Subscriber so dying, or of the Assignees or Trustees of such Subscriber so becoming insolvent or bankrupt, or, in the Event of the Share or Shares being disposed of as aforesaid, of the last Person appearing in the Book of the said Company to have been possessed of the same; and in case the last or usual Place of Abode of such Person or Persons cannot be ascertained upon due Inquiry, and in case any Subscriber shall go out of the Kingdom, such Notice shall be inserted Twice in the *London Gazette;* and in all such Cases, after such Notices of Default being made, the said Shares shall be forfeited in manner aforesaid, except only in case of the Subscriber or Subscribers being Abroad the Share or Shares shall not be forfeited until the Expiration of Six Calendar Months after the Day on which such Notice shall have been left at his or her last or usual Place of Abode in *England*, or inserted in the *London Gazette* as aforesaid.

XLIX. And

For ascertaining the Proprietorship of Shares in case of the Marriage or Death of the Proprietors.

XLIX. And whereas by the Marriage or Death of Proprietors of Shares in the said Undertaking it may be difficult to ascertain to whom the Dividends arising or becoming due upon such Shares ought to be paid or belong; be it therefore enacted, That before any Person who shall claim any Part of the Profits of the said Undertaking in right of Marriage shall be entitled to receive the same or be entitled to vote in respect of any Share, an Affidavit, or solemn Affirmation by any Person of the Society of Quakers, in Writing, containing a Copy of the Register of such Marriage or other Particulars of the Celebration thereof, shall be made and sworn to or solemnly affirmed by some credible Person before a Master or Masters Extraordinary in Chancery, or any of His Majesty's Justices of the Peace, and shall be transmitted to the Clerk of the said Company, who shall file the same and make an Entry thereof in the Book or Books which shall be kept by the said Clerk for the Entry of Transfers of Sales of Shares in the said Undertaking; and before any Person who shall claim any Part of the Profits of the said Undertaking by virtue of any Bequest or Will, or in the Course of Administration, shall be entitled to receive the same or be entitled to vote in respect of any Share, the said Will or the Probate thereof, or the Letters of Administration, shall be produced and shown to the said Clerk, or a Copy of so much of the said Will as shall relate to the Share or Shares of the Testator or Intestate shall be made and sworn to or solemnly affirmed to by the Executor or Executors of the Will, or the Administrator or Administrators of the Intestate, before a Master or Masters Extraordinary in Chancery, or any of His Majesty's Justices of the Peace as aforesaid, and shall also be transmitted to the said Clerk, who shall file and enter the same as herein-before mentioned; when the Right and Property of any Share of the said Undertaking shall pass from the original Proprietor or Proprietors thereof, or any other Person, by any other legal Means than by a Transfer and Conveyance thereof as herein directed, an Affidavit or solemn Affirmation in Writing shall be made and sworn to or solemnly affirmed to by some credible Person or Persons before a Master or Masters Extraordinary in Chancery, or any One of His Majesty's Justices of the Peace as aforesaid, stating the Manner in which such Share or Shares hath or have passed to such other Person, and such Affidavit or solemn Affirmation shall be transmitted to the Clerk of the said Company, who shall thereupon enter and register the Name or Names of every such new Proprietor in the Register Book or List of Proprietors of the said Company; and the Clerk of the said Company shall be entitled to receive for each and every such Entries as herein-before directed the Sum of Two Shillings and Sixpence, and no more.

Receipt of the Person in whose Name Shares stand for Dividends to be good.

L. And be it further enacted, That the Receipt or Receipts of the Person or of any of the Persons in whose Name or Names any Share of the said Undertaking shall stand in the said Books of the said Company shall from Time to Time be a sufficient Discharge to the Treasurer or Treasurers for the Time being of the said Company for any Dividend or Sum of Money which shall become due and payable and be paid for or in respect of such Share, notwithstanding any Uses, Trusts, Intents, or Purposes upon or to which such Share shall be then settled, conveyed, or assigned.

LI. And

Receipt of Parents or Guardians of Minors to be sufficient.

LI. And be it further enacted, That in all Cases where the Money shall be payable under the Provisions of this Act to any Proprietor in the said Undertaking who shall be a Minor, the Receipt of the Parent or Guardian for the Time being of such Minor shall be a sufficient Discharge to the said Company and their Treasurer for the same.

Proprietors may raise an additional Sum, if necessary, by Mortgage.

LII. And be it further enacted, That in case the Money hereby authorized to be raised shall be found insufficient for making, completing, and maintaining the said Market and other Works hereby authorized to be made, and for defraying all necessary Charges and Expences relating thereto, and the said Company shall be desirous of raising a further or additional Sum of Money, it shall be lawful for the said Company, by an Order of any General Meeting of the said Company, to borrow and take up at Interest any such further or additional Sum, not exceeding the Sum of Eight thousand Pounds, on the Credit of the said Undertaking, as to them shall seem meet and convenient; and the said Company, or the Directors of the said Company, after an Order shall have been made for that Purpose by any General Meeting, are hereby authorized and empowered to assign the Property of the said Undertaking, and the Tolls or Rates arising or to arise by virtue of this Act, or any Part thereof, (the Costs and Charges of assigning the same to be paid out of such Rates,) as a Security for any such further Sum of Money to be borrowed as aforesaid, with Interest, to such Person or Persons, or to his or their Trustee or Trustees, as shall advance the same; all which said Mortgages or Assignments shall be made under the Common Seal of the said Company in the Words or to the Effect following; (that is to say,)

Form of Mortgage.

‘ Number .

‘ BY virtue of an Act passed the Second Year of the Reign of
‘ King *William* the Fourth [*here set forth the Title of this Act*],
‘ we the Company of Proprietors of the *Liverpool* New Cattle Market,
‘ incorporated by and under the said Act, in consideration of the
‘ Sum of to us in hand paid by
‘ of do assign unto the said
‘ his [*or* her] Executors, Administrators, and Assigns, the said Under-
‘ taking, and all and singular the Rates arising by virtue of the said
‘ Act, and all the Estate, Right, Title, and Interest of, in, and to the
‘ same, to hold unto the said his [*or* her] Executors,
‘ Administrators, and Assigns, until the said Sum of
‘ together with Interest for the same after the Rate of
‘ for every One hundred Pounds for a Year, shall be fully paid and
‘ satisfied. Given under our Common Seal this Day of
‘ in the Year of our Lord .’

And all and every the Person and Persons to whom such Mortgage or Assignment shall be made shall be equally entitled one with the other to his or their Proportion or Proportions of the said Rates and Premises, according to the respective Sums in such Mortgages or Assignments mentioned to be advanced, without any Preference by reason of the Priority of Date of any such Mortgage or Assignment, or any other account whatsoever; and an Entry or Memorial of every such Mortgage or Assignment, containing the Number and Date thereof,

and the Name or Names of the Person or Person, with their proper Additions, to whom the same shall have been made, and of the Sum borrowed, together with the Rate of Interest to be paid thereon, shall, within Seven Days next after the Date thereof, be entered in a Book or Books to be kept by the Clerk of the said Company of Proprietors, which said Book or Books shall or may be perused at all reasonable Times by any of the Proprietors or Creditors of the said Undertaking or other Persons interested therein, without Fee or Reward; and all and every Person or Persons to whom such Mortgage or Mortgages, Assignment or Assignments, shall have been made as aforesaid, or who shall be entitled to the Money due thereon, shall and may from Time to Time transfer his, her, or their Right or Interest therein to any Person or Persons whomsoever; which Transfer shall and may be in the Words or to the Effect following; (that is to say,)

Transfer of Mortgage.

Form of Transfer of Mortgage.

'I [*or* We] of in consideration of the
'Sum of paid by of
'do hereby transfer a certain Mortgage (Number), made by
'the Company of Proprietors of the *Liverpool* New Cattle Market
'to bearing Date the Day of
'for securing the Sum of and Interest, and all my
'[*or* our] Right and Property therein, to the said
'his [*or* her] Executors, Administrators, and Assigns. Dated this
' Day of in the Year of our Lord .'

And every such Transfer shall, within Seven Days after the Date thereof, be produced to the Clerk of the said Company, who shall cause an Entry or Memorial to be made thereof in the same Manner as the original Mortgages or Assignments, for which the said Clerk shall be paid such Sum as the said Company shall appoint, not exceeding Two Shillings and Sixpence; and after such Entry made every Transfer shall entitle such Assignee or Assignees, his or their Executors, Administrators, or Assigns, to the full Benefit thereof and Payment thereon; and it shall not be in the Power of any Person who shall have made such Transfer to make void, release, or discharge the same, or any Sum of Money thereon due or thereby secured, or any Part thereof.

Mortgagees not to vote.

LIII. Provided always, and be it further enacted, That no Person to whom any such Mortgage or Assignment shall be made shall be deemed a Proprietor of any Share, or shall be capable of acting or voting as such at any Meeting of the said Company, for or on account of his or her having lent or advanced any Sum or Sums of Money on such Mortgage or Assignment.

In case Mortgages are paid off, Power to raise the Amount again.

LIV. And be it further enacted, That in case the said Company shall raise the Whole or any Part of the additional Sum of Eight thousand Pounds by Mortgage, and shall afterwards be required or be desirous of paying off all or any Part of the Principal Sum secured by such Mortgages or any of them, then and in every such Case it shall be lawful for the said Company, and they are hereby authorized and empowered, immediately or at any Time or Times thereafter, again to raise, in lieu of the Principal Money so paid off or to be

paid off by them, so much and such Sum and Sums of Money as they shall from Time to Time have paid off or be required or desirous to pay off to the Holders of the Mortgages or any of them, or any Part or Parts thereof, and so from Time to Time as often as the same shall happen, but so nevertheless that the said Company shall not in any Event borrow upon Mortgage more than the Sum of Eight thousand Pounds in the whole at any One Time.

Power to hold Market, &c.

LV. And be it further enacted, That it shall be lawful for the said Company and their Successors, upon the said Land or such other Land as they are hereby authorized to purchase, to have, hold, and keep a Market for the Sale of Live Cattle and other Live Stock only, from henceforth for ever, and also by themselves, or any of their Collectors, Farmers, Officers, or Servants, to ask, demand, recover, receive, and take of and from all and every Persons and Person exposing or offering for Sale or selling any Live Cattle or other Live Stock, or who shall rent, use, or hire any Pen or Stall in any Part of the said Market, the several Rents, Tolls, or Sums of Money which shall at any Time or from Time to Time be fixed and appointed by the said Company or their Successors, or by their Directors for the Time being, to be paid for the same, according to, but not exceeding, the several Rents, Tolls, or Sums of Money in the Schedule to this Act mentioned, any Charter, Usage, or Custom to the contrary notwithstanding.

Payment of Rents and Tolls.

LVI. And be it further enacted, That every Toll by this Act or by the Schedule hereto authorized to be demanded and taken shall be payable immediately on the Live Cattle or other Live Stock in respect of which such Toll is authorized to be demanded and taken entering within the said Market; and a List of the Rents and Tolls for the Time being to be demanded and taken within the said Market shall, within Twenty-one Days after the passing of this Act, be painted on a Board in legible Characters, and put up and exposed to public View in some conspicuous Part of the said Market; and the same shall from Time to Time be renewed, replaced, or altered when and so often as the same shall be obliterated or defaced, or any Change shall take place in the Rate of the Rents and Tolls, or any of them; and no increased Rate of Rent or Toll shall at any Time be demanded and taken unless such increased Rate of Rent or Toll, and the Intention to demand and take the same, shall have been painted on a Board in legible Characters, and put up and exposed to public View in some conspicuous Part of the said Market for Ten successive Days at least before demanding and taking the same.

Recovery of Rents, Tolls, &c. by Distress and Sale of Articles.

LVII. And be it further enacted, That if any Person or Persons who shall hold, use, or occupy any Part of the said Market with Live Cattle or other Live Stock shall refuse to pay the Toll or Tolls due or payable for such Live Cattle or other Live Stock, it shall be lawful for the said Company or the Directors, or any other Person or Persons authorized by them so to do, to levy and recover such Rent or Toll or Tolls by Distress and immediate Sale of a sufficient Part of such Live Cattle or other Live Stock, returning or paying, on Demand, to the Person or any One or more of the Persons belonging thereto the

the Overplus, if any, of the Things distrained, or of the Money arising from the Sale thereof; and in case any Dispute or Difference shall arise concerning or in consequence of any such Distress or Sale, such Dispute or Difference shall and may be settled and determined by any One or more of His Majesty's Justices of the Peace for the said County of *Lancaster*, who is or are hereby empowered and required to summon the Parties before him or them, and to hear and determine, upon Oath, the Matter of any Complaint which may be made concerning or in consequence of such Distress or Sale, and to make such Order therein, and award such Costs to either Party, as to such Justice or Justices shall in his or their Discretion seem meet, and by Warrant under his or their Hand and Seal or Hands and Seals to cause the Costs which shall be so awarded to be levied by Distress and Sale of the Goods and Chattels of the Party or Parties liable to pay the same, rendering the Overplus, if any, of the Goods and Chattels distrained, or of the Money arising from the Sale thereof, to the Owner or Owners of such Goods and Chattels, after deducting the reasonable Charges of such last-mentioned Distress and Sale.

Power to make Rules and Bye Laws for Regulation of the Market, &c.

LVIII. And be it further enacted, That for regulating and managing the said Market, and for regulating the Directors, Officers, Servants, and Proprietors of the said Company, it shall be lawful for the said Company at any General or Special General Meeting, or for the said Directors at a Special Meeting of Directors, and they are hereby authorized, from Time to Time to make, provide, constitute, and order such Rules, Orders, and Bye Laws as they shall think fit and necessary for the better Management of the said Company and the Concerns thereof, and for regulating, cleansing, lighting, watering, letting, occupying, and using the said Market or any Part or Parts thereof, and also for the regulating, ordering, and governing all Persons whatsoever thereto coming and resorting, in all Matters which do or may concern or relate to the said Market, and also for the better ordering and regulating the Use of the Pens, Stalls, and Causeways thereof, and the Avenues approaching to and from the said Market; and the said Company, or their Directors, may from Time to Time, as they shall think fit, repeal, alter, add to, or amend such Rules, Orders, and Bye Laws, or any of them, and shall ascertain and therein set down what pecuniary and other Penalties and Forfeitures shall be incurred by Persons breaking or evading such Rules, Orders, and Bye Laws, or any of them; provided always, that no pecuniary Penalty shall exceed the Sum of Five Pounds for any One Offence, and such Rules, Orders, and Bye Laws shall not be repugnant to the Laws of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Great Britain*, or to the Provisions of this Act; and all Persons so as aforesaid coming and resorting to the said Market are hereby required to observe and keep such Rules, Orders, and Bye Laws, under such Penalties and Forfeitures respectively as shall be ascertained and set down as aforesaid; and all such Rules, Orders, and Bye Laws shall be signed by any Five of the said Directors, and shall be painted on Boards, and put up or affixed in some conspicuous Place in the said Market, which from Time to Time shall be renewed and replaced when and as often as the same shall be

be altered, obliterated, or defaced; but no Rule, Order, or Bye Law shall have any Force or Effect until Twenty-one Days next after the same shall have been affixed as aforesaid; and the said Rules, Orders, and Bye Laws, and any Alteration thereof, shall be subject to Appeal in manner herein-after mentioned.

Penalty for assaulting Tenant or Collector.

LIX. And be it further enacted, That if any Person shall assault, hinder, or obstruct any Tenant of the said Market, or any Collector of the Rents or Tolls by this Act authorized to be taken, or other Person authorized to receive the same, or any Person employed by the said Company of Proprietors or their Directors, or their Tenants thereof, to superintend and regulate the said Market, or to keep Order therein, every Person offending in any such Cases shall forfeit and pay to the said Company for every such Offence such Sum of Money, not exceeding Five Pounds, as any Justice of the Peace for the County Palatine of *Lancaster* shall in that Behalf direct.

Penalty for injuring Buildings, &c.

LX. And be it further enacted, That if any Person shall commit any Nuisance in the said Market, or shall take away, remove, destroy, deface, damage, injure, or pull up any Erection, Building, Fountain, Cistern, Wall, Fence, Pier, Pillar, Post, Rail, Pump, Pipe, or Pavement, or wilfully or negligently break or injure any Lamp or Window in the said Market, or any Board, Notice, or Inscription fixed or put up therein by the Order of the said Company for giving Publicity to the Tolls and Rents, and to the Rules, Orders, and Bye Laws to be made in pursuance of this Act, every Person so offending shall forfeit and pay to the said Company for every such Offence such Sum of Money, not exceeding Five Pounds, as any Justice of the Peace for the said County Palatine of *Lancaster* shall in that Behalf direct, and also such further Sum of Money, as a Compensation for the Damage and Costs which shall have been occasioned by such Offence, as such Justice shall in that Behalf award.

For securing Offenders.

LXI. And be it further enacted, That it shall be lawful for any Clerk, Collector, or other Person appointed under the Authority of this Act, and such Person or Persons as shall act by his Direction, without any other Authority than this Act, to seize and take into Custody any Person who shall commit any Offence against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, and to carry such Offender before any Justice or Justices of the Peace for the said County Palatine of *Lancaster;* and every Offender so seized and taken into Custody shall be considered as seized and taken into Custody by or by the Direction of one of the Persons duly appointed under this Act to carry the Objects thereof into effect; and it shall not be necessary to prove to the Justice or Justices before whom such Offender shall be carried, whether or not the Person by whom or by whose Direction the Offender was seized and taken into Custody was duly appointed under this Act.

Powers to Justices to summon Offenders, and to convict

LXII. And be it further enacted, That in every Case in which any Person shall offend against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, Information against such Person of the Offence committed by him or her may be given to any

upon Summons.

One or more of His Majesty's Justices of the Peace for the County of *Lancaster*; and upon Information being given, such Justice or Justices is or are hereby authorized and required to summon before him or them the Party complained against, and upon the Offender being brought before him or them to hear and determine the Matter of Complaint against such Offender, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture which he or she may have incurred; and all such Proceedings by Summons shall be valid and effectual, to all Intents and Purposes, whether the Information upon which such Summons was granted was in Writing or not.

Power to Justices to convict Offenders brought before them without Summons.

LXIII. And be it further enacted, That in every Case in which any Person offending against this Act, or against any Rule, Order, or Bye Law made in pursuance thereof, shall, by virtue of the Powers contained in this Act, or any of them, be seized and carried before any Justice or Justices of the Peace for the County of *Lancaster*, the Justice or Justices before whom such Offender shall be carried is or are hereby authorized and required to hear and determine the Matter of Complaint against such Offender, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture which he or she may have incurred.

Recovery and Application of Penalties.

LXIV. And be it further enacted, That all Penalties and Forfeitures inflicted or imposed by this Act, or by virtue of any Rule, Order, or Bye Law made in pursuance thereof, may, in all Cases of Nonpayment thereof, upon Conviction before any Justice or Justices of the Peace for the County of *Lancaster*, be recovered in a summary Way by the Order and Adjudication of such Justice or Justices, or of some other Justice or Justices of the Peace for the said County of *Lancaster*, and levied, as well as the Costs (if any) of such Proceedings, on Nonpayment, by Distress and Sale of the Goods and Chattels of the respective Offenders liable to pay the same, by Warrant under the Hand and Seal of such Justice or Justices; and the Overplus (if any) of the Money so in every Case raised or recovered, after discharging the Penalty or Forfeiture and the Costs as aforesaid, shall be returned, on Demand, to the Party whose Goods and Chattels shall be distrained; all which Penalties and Forfeitures shall be paid to the said Company, or their Collector or Treasurer, for the Use of the said Company; and in case any Penalty or Forfeiture shall not be forthwith paid, it shall be lawful for such Justice or Justices, and he or they is or are hereby authorized and required, to order any Offenders so convicted to be detained and kept in safe Custody until Return can conveniently be made to such Warrant of Distress, unless such Offender shall give sufficient Security to the Satisfaction of such Justice or Justices for his or her Appearance before such Justice or Justices of the Peace, having Jurisdiction on such Day as shall be appointed for the Return of any such Warrant of Distress, (such Day not being more than Five Days from the taking of such Security,) and which Security any One or more of the said Justices is and are hereby empowered to take by way of Recognizance or otherwise; but if upon the Return of such Warrant it shall appear that no sufficient Distress can be had whereupon to levy the

said Penalty or Forfeiture and such Costs as aforesaid, and the same shall not be forthwith paid, or in case it shall appear to the Satisfaction of the said Justice or Justices, upon the Confession of the Offender or otherwise, that he or she hath not sufficient Goods and Chattels whereupon such Penalty or Forfeiture and Costs could be levied if a Warrant of Distress should be issued, such Justice or Justices shall not be required to issue such Warrant of Distress, but in such Case it shall be lawful for such Justice or Justices, and he or they is or are hereby required, by Warrant under his or their Hand and Seal or Hands and Seals, to commit such Offender to some Common Gaol or House of Correction for the said County of *Lancaster*, there to remain for any Time not exceeding Three Calendar Months, or until such Penalty or Forfeiture shall be sooner paid and satisfied, together with all Costs attending such Proceedings as aforesaid, to be ascertained by such Justice or Justices, or until such Offender shall otherwise be discharged by due Course of Law.

Damages and Costs to be recovered in the same Manner as Penalties.

LXV. And be it further enacted, That in every Case in which any Sum which by virtue of this Act shall be awarded or determined by any Justice or Justices as a Compensation for any Destruction, Damage, or Injury, shall not be paid on the Conviction of the Offender, the Justice or Justices who shall have so awarded or determined, or any other Justice or Justices for the said County of *Lancaster*, is or are hereby authorized and required to cause such Sum to be levied and paid by Distress and Sale of the Offender's Goods and Chattels, in the same Manner precisely as is by this Act directed in regard to the levying and Payment of Penalties and Forfeitures.

Form of Conviction.

LXVI. And be it further enacted, That the Justice or Justices of the Peace before whom any Person shall be convicted for or in respect of any Offence against this Act may cause the Conviction of such Person to be drawn up according to the Form or to the Effect following; (that is to say,)

'
' to wit. } BE it remembered, That on the Day of
' in the Year of our Lord
' *A. B.* is convicted before me *C. D.*,
' one of His Majesty's Justices of the Peace for
' [*specifying the Offence, and the Time and Place when and where the*
' *same was committed, as the Case may be*], contrary to an Act passed
' in the Second Year of the Reign of King *William* the Fourth,
' intituled [*here set forth the Title of this Act*]. Given under my
' Hand and Seal the Day and Year first above written.'

Distress not unlawful for Want of Form.

LXVII. And be it further enacted, That where any Distress shall be made for any Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor any Party making the same deemed a Trespasser, on account of any Defect or Want of Form in any of the Proceedings relating thereto, nor shall such Party be deemed a Trespasser *ab initio* on account of any Irregularity which shall be afterwards committed by him, but all Persons aggrieved by such

such Defect or Irregularity shall and may recover full Satisfaction for the special Damage only in an Action on the Case.

Persons aggrieved may appeal to Quarter Sessions.

LXVIII. And be it further enacted, That all Bodies and Persons who may think themselves aggrieved by any Order, Judgment, or Determination of any Justice or Justices of the Peace acting under the Authority of this Act, may, within Six Calendar Months next after such Order, Judgment, or Determination shall have been made or given, appeal to the Justices of the Peace at any General or Quarter Session to be held for the County where the Cause of Appeal shall happen to arise, first giving Fourteen Days Notice in Writing of such Intention to Appeal, and of the Grounds and Nature thereof, to the Party against whom such Complaint is intended to be made, and forthwith after such Notice enter into Recognizance before some Justice or Justices of the Peace, with Two sufficient Sureties, conditioned to try such Appeal, and abide the Order and Award of the said Court thereon; and the said Justices shall, in a summary Way, either hear and determine the said Complaint at such General or Quarter Sessions, or if they think proper adjourn the Hearing thereof to the following General or Quarter Sessions of the Peace to be holden for such County; and the said Justices may, if they see Cause, mitigate any Penalty or Forfeiture, or may order any Money to be returned which shall have been levied in pursuance of such Rule, Order, Judgment, or Determination, and may also order any such further Satisfaction to be made to the Party injured as they shall judge reasonable, and may also order such Costs to be paid to the Party aggrieved by the Party aggressing as they in their Judgment shall think just and reasonable.

Authenticated Bye Laws to be Evidence.

LXIX. Provided always, and be it further enacted, That in every Case of a Prosecution for an Offence against any Rule, Order, or Bye Law which may be made in pursuance of this Act, the Production of a written or printed Paper purporting to contain such Rule, Order, or Bye Law, and authenticated by having the Seal of the said Company thereto affixed, shall be Evidence of the Existence of such Rule, Order, or Bye Law; and Evidence of a Board having been duly put up and exposed to public View in some conspicuous Part of the said Market, purporting to contain a Copy of the Rules, Orders, and Bye Laws for the Time being in force relative to the said Market, or any of them, shall be sufficient to prove that such Board contains a true Copy of the Rules, Orders, and Bye Laws purported to be contained therein, and also to prove that the same Board has been continued exposed to public View according to the Provisions of this Act, unless satisfactory Evidence shall be adduced to the contrary by the Defendant in any such Prosecution.

Proceedings not to be quashed for Want of Form.

LXX. And be it further enacted, That no Conviction, or any Order or Determination on any Appeal in pursuance of this Act, shall be quashed or vacated for Want of Form only, or be removed or removable into any of His Majesty's Courts of Record at *Westminster* by Certiorari, or any other Writ or Process whatsoever, any Law, Statute, or Usage to the contrary notwithstanding.

LXXI. Pro-

Limitations of Actions.

LXXI. Provided always, and be it further enacted, That no Action or Suit shall be brought, commenced, or prosecuted against any Person or Persons for any thing done or omitted to be done in pursuance of or contrary to this Act, or any Rule, Order, or Bye Law which may be made in pursuance thereof, unless Ten Days previous Notice in Writing shall be given by the Party intending to commence and prosecute such Action or Suit to the intended Defendant or Defendants, nor unless such Action or Suit shall be brought or commenced within Six Calendar Months next after the Cause of such Action or Suit shall have originated, or in case there shall be a Continuance of Damage, then within Six Calendar Months next after the doing or committing such Damage shall have ceased, nor unless such Action or Suit shall be laid and brought in the County where the Cause thereof shall arise; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done by Authority of this Act; and if it shall appear to have been so done, or that such Action or Suit shall have been brought otherwise than as hereinbefore directed, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon their Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited, or shall suffer a Discontinuance of his, her, or their Action or Suit after the Defendant or Defendants shall have appeared thereto, or if a Verdict shall pass against the Plaintiff or Plaintiffs therein, or if, upon Demurrer or otherwise, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have his, her, or their Costs, and shall have such Remedy for recovering the same as Defendants have for recovering Costs of Suit by Law in any other Cases.

Plaintiff not to recover after Tender of Amends.

LXXII. Provided always, and be it further enacted, That no Plaintiff shall recover in any Action for any Irregularity, Trespass, or other wrongful Proceeding made or committed in execution of this Act if Tender of sufficient Amends shall have been made by or on behalf of the Party who shall have committed such Irregularity, Trespass, or other wrongful Proceeding, before Action brought; and in case no Tender shall have been made, it shall be lawful for the Defendant in any such Action, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he or she shall think fit, whereupon such Proceedings, Order, and Adjudication shall be had and made in and by such Court as in other Actions where Defendants are allowed to pay Money into Court.

General Power to Justices to administer Oaths.

LXXIII. And be it further enacted, That in all Cases where any Justice of the Peace is authorized by this Act to examine any Person, or to take cognizance of or to hear and determine any Matter or Complaint, it shall be lawful for such Justice and he is hereby required to administer an Oath to or to receive the Affirmation of any Person before he or she shall be examined by or before such Justice.

Saving Clause.

LXXIV. Saving always to the King's most Excellent Majesty, His Heirs and Successors, and to the Mayor, Bailiffs, and Burgesses of the Town of *Liverpool* in the County Palatine of *Lancaster*, and their Successors, all such Estates, Rights, Titles, Interests, Powers, Authorities, Claims, and Demands whatsoever as they or any of them had before the passing of this Act, or could or might have had, held, or enjoyed in case this Act had not been made.

Public Act.

LXXV. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others, without being specially pleaded.

The SCHEDULE to which the foregoing Act refers.

---

	s.	*d.*	
For Horses and Mules - - -	0	6	each.
For Bulls, Cows, Oxen, and Heifers -	0	2	each.
For Calves and Pigs - - -	0	1	each.
For Sheep and Lambs - - - -	1	0	per Score, and so in proportion for any less Number.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1832.