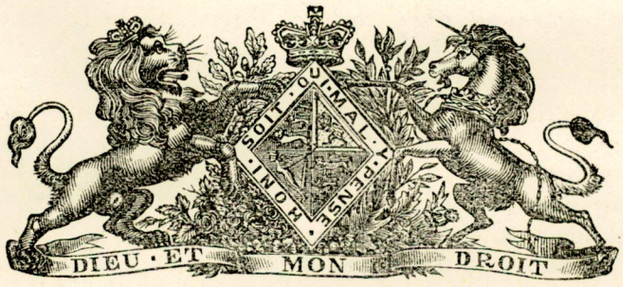
New South Wales.



ANNO QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ.

* *

An Act to authorize the erection and maintenance of Cattle Sale-yards by the Borough Council of Bathurst. [Assented to, 2nd October, 1889.]

WHEREAS by notice in the *Government Gazette* dated the second day of April, one thousand eight hundred and eighty-nine, the land described in the Schedule hereto was duly dedicated as a site for cattle sale-yards. And whereas it is expedient that yards for the sale of cattle should be established on the said land, and it is necessary for such purpose that full power should be given to the Borough Council of Bathurst to erect, construct, and maintain suitable buildings and yards and such other works as may be deemed expedient on such land or portion thereof, and for such purpose to borrow money and to charge fees and make by-laws for the maintenance and regulation of such sale-yards. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :— Preamble.

1. For the purpose of this Act the word "cattle" wherever used shall be taken to include all horses, mares, geldings, foals, bulls, cows, steers, heifers, calves, pigs, sheep, lambs, and goats, or any other live stock. Interpretation of the word "cattle."

2.

Council may erect yards, &c.

2. It shall be lawful for the Borough Council of Bathurst to erect, construct, and maintain suitable buildings, yards, and such other works as may be deemed expedient, upon the land in the Schedule hereto set forth for the purpose of making provision for the sale of cattle therein.

Borrowing powers.

3. To provide funds for the erection, construction, and maintenance of buildings, yards, and such other works as may be deemed expedient as aforesaid, it shall be lawful for the said Borough Council of Bathurst to borrow any sum of money not exceeding three thousand pounds, at a rate of interest not exceeding eight pounds per centum per annum, secured upon a mortgage of the land mentioned in the Schedule hereto, with all usual covenants and powers of sale; and also upon mortgage of the fees and tolls to be levied as hereinafter provided, as in the opinion of the said Borough Council of Bathurst may be deemed most expedient, provided that the proceeds to arise from such fees or tolls, and all other profits accruing from the use of such sale-yards, and such other works, and received by the said Borough Council of Bathurst, shall, after payment of all current expense, incident to the maintenance of such yards and other works be appropriated towards the payment of the principal sum so borrowed and any interest thereon accrued; and an account, to be called the "Cattle Sale-yards Fund," shall be kept by the said Council; any surplus arising after payment of working expenses shall be transferred to the general account of the said Borough.

Disposal of profits.

4. After the said principal and interest are paid all profits accruing as aforesaid shall be passed to the credit of the general revenue of the said Borough Council of Bathurst at the end of each half-year.

By-laws.

5. The said Borough Council of Bathurst may from time to time appoint officers and servants, and make by-laws for the fixing and collecting of fees, charges, and the maintenance, regulation, and management of the said sale-yards and other works, and of all persons buying or selling therein or resorting thereto, and generally for carrying out the purpose of this Act. And such by-laws shall clearly set forth what pecuniary or other penalty or forfeiture shall be incurred by any breach thereof respectively. Provided always that no such pecuniary penalty shall in any case exceed the sum of five pounds.

No penalty to exceed five pounds.

Proof of by-laws.

6. All such by-laws shall, after approval by the Governor, be published in the *Gazette* and in one local newspaper. And the production of the *Gazette* or supplement thereof, purporting to contain a copy of any such by-laws, shall be sufficient evidence in any proceeding in any Court of Justice that such by-laws have been duly made and approved in accordance with the provisions of this Act.

Power to demand and take fees.

7. So soon as any such sale-yards shall be established and by-laws approved and published, the said Borough Council of Bathurst may demand from the auctioneer, agent, owner, or person selling the cattle, and take in respect of any cattle brought to any such sale-yards or yarded in or brought to any other sale-yards within the Borough of Bathurst or within two miles from any boundary thereof if such cattle be intended for sale by public auction or private contract, the fees or charges mentioned in the said by-laws. Provided that the fees or charges levied upon cattle brought to other sale-yards shall not exceed those levied upon cattle yarded in or brought to the sale-yards established under this Act. Provided further, that the said Council shall have only the power to levy one-half the same rates and charges which are chargeable in the Municipal Sale-yards for a period of six years from the passing of this Act, but thereafter the said Council shall have power to levy the full rates and charges as aforesaid for or in respect of any yards or premises situated within the aforesaid limits which shall before

before the commencement of this Act have been established, and which are now being used for the *bonâ fide* purpose of holding sales of cattle thereat; but the said privilege of paying only such half rates and charges as aforesaid shall not extend to any proprietor of any such last-mentioned yards or premises, unless he shall within one month after the date of the passing of this Act have given notice to the Council by writing under his hand that he claims the said privilege; but such privilege shall absolutely cease and determine if at any time after the date of the passing of this Act no sale of cattle shall have taken place at such yards or premises for a continuous period of six calendar months.

The recovery of fees, penalties, &c.

8. All sums of money which shall be imposed or made payable, and all penalties, forfeitures, and costs incurred under this Act or any by-laws hereunder, may be recovered from the auctioneer, agent, owner, or person selling said cattle at the suit of the said Borough Council of Bathurst, or the Clerk of the said Council, in a summary way before any Justice of the Peace under the provisions of the Act or Acts for the time being in force regulating proceedings on summary convictions; and if any such sum of money be not paid immediately after the order or conviction the same shall be levied by distress and sale of the goods and chattels of the offender or offenders, person or persons directed by such order to pay any such sum as aforesaid, and on failure of distress shall be enforced in the manner directed by the said Act or Acts, subject however to an appeal in the manner provided by the Act or Acts for the time being in force regulating appeals from Justices of the Peace.

Appeal.

Return of cattle sold in yards other than the Council's yards.

9. Auctioneers or persons selling or offering for sale cattle at any sale-yard, other than the yards established under this Act, and within the aforesaid limits, shall hand to the officer appointed by the said Borough Council of Bathurst for that purpose, between the first and seventh of every month, a return in writing of all cattle sold or offered for sale by them during the previous month, together with the amount of fees chargeable thereon, in accordance with the provisions and by-laws of this Act. Any auctioneer or person who neglects or refuses to make such return, or who shall make a false return, shall be liable to a penalty of not less than twenty shillings or more than five pounds for every such offence.

Short title.

10. This Act may be cited as the "Bathurst Cattle Sale-yards Act of 1889."

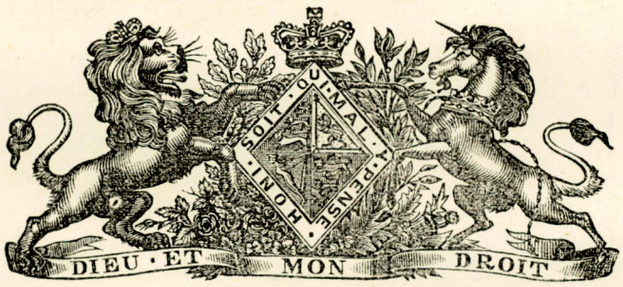
SCHEDULE.

Description of land.

All those eleven acres two roods of land in the parish and county of Bathurst: Commencing at a point bearing two hundred and seventy degrees one chain from the north-west corner of portion number eighty-one (being M. King's sixteen acres two roods and twenty-two perches); and bounded thence on the north by a line bearing two hundred and seventy degrees nine chains and two links; thence on the west by a line bearing one hundred and seventy-nine degrees twenty-five minutes twenty chains; thence on the south by a line bearing ninety degrees eight chains and sixty links; and thence on the east by a line bearing fifty-six minutes twenty chains to the point of commencement, exclusive of reserved road and railway line.

By Authority: CHARLES POTTER, Government Printer, Sydney, 1889.

[3*d*.]



New South Wales.

ANNO QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ.

* *

An Act to authorize the erection and maintenance of Cattle Sale-yards by the Borough Council of Bathurst. [Assented to, 2nd October, 1889.]

Preamble.

WHEREAS by notice in the *Government Gazette* dated the second day of April, one thousand eight hundred and eighty-nine, the land described in the Schedule hereto was duly dedicated as a site for cattle sale-yards. And whereas it is expedient that yards for the sale of cattle should be established on the said land, and it is necessary for such purpose that full power should be given to the Borough Council of Bathurst to erect, construct, and maintain suitable buildings and yards and such other works as may be deemed expedient on such land or portion thereof, and for such purpose to borrow money and to charge fees and make by-laws for the maintenance and regulation of such sale-yards. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Interpretation of the word "cattle."

1. For the purpose of this Act the word "cattle" wherever used shall be taken to include all horses, mares, geldings, foals, bulls, cows, steers, heifers, calves, pigs, sheep, lambs, and goats, or any other live stock.

Council may erect yards, &c.

2. It shall be lawful for the Borough Council of Bathurst to erect, construct, and maintain suitable buildings, yards, and such other works as may be deemed expedient, upon the land in the Schedule hereto set forth for the purpose of making provision for the sale of cattle therein.

Borrowing powers.

3. To provide funds for the erection, construction, and maintenance of buildings, yards, and such other works as may be deemed expedient as aforesaid, it shall be lawful for the said Borough Council of Bathurst to borrow any sum of money not exceeding three thousand pounds, at a rate of interest not exceeding eight pounds per centum per annum, secured upon a mortgage of the land mentioned in the Schedule hereto, with all usual covenants and powers of sale; and also upon mortgage of the fees and tolls to be levied as hereinafter provided, as in the opinion of the said Borough Council of Bathurst may be deemed most expedient, provided that the proceeds to arise from such fees or tolls, and all other profits accruing from the use of such sale-yards, and such other works, and received by the said Borough Council of Bathurst, shall, after payment of all current expense, incident to the maintenance of such yards and other works be appropriated towards the payment of the principal sum so borrowed and any interest thereon accrued; and an account, to be called the "Cattle Sale-yards Fund," shall be kept by the said Council; any surplus arising after payment of working expenses shall be transferred to the general account of the said Borough.

Disposal of profits.

4. After the said principal and interest are paid all profits accruing as aforesaid shall be passed to the credit of the general revenue of the said Borough Council of Bathurst at the end of each half-year.

By-laws.

5. The said Borough Council of Bathurst may from time to time appoint officers and servants, and make by-laws for the fixing and collecting of fees, charges, and the maintenance, regulation, and management of the said sale-yards and other works, and of all persons buying or selling therein or resorting thereto, and generally for carrying out the purpose of this Act. And such by-laws shall clearly set forth what pecuniary or other penalty or forfeiture shall be incurred by any breach thereof respectively. Provided always that no such pecuniary penalty shall in any case exceed the sum of five pounds.

No penalty to exceed five pounds.

Proof of by-laws.

6. All such by-laws shall, after approval by the Governor, be published in the *Gazette* and in one local newspaper. And the production of the *Gazette* or supplement thereof, purporting to contain a copy of any such by-laws, shall be sufficient evidence in any proceeding in any Court of Justice that such by-laws have been duly made and approved in accordance with the provisions of this Act.

Power to demand and take fees.

7. So soon as any such sale-yards shall be established and by-laws approved and published, the said Borough Council of Bathurst may demand from the auctioneer, agent, owner, or person selling the cattle, and take in respect of any cattle brought to any such sale-yards or yarded in or brought to any other sale-yards within the Borough of Bathurst or within two miles from any boundary thereof if such cattle be intended for sale by public auction or private contract, the fees or charges mentioned in the said by-laws. Provided that the fees or charges levied upon cattle brought to other sale-yards shall not exceed those levied upon cattle yarded in or brought to the sale-yards established under this Act. Provided further, that the said Council shall have only the power to levy one-half the same rates and charges which are chargeable in the Municipal Sale-yards for a period of six years from the passing of this Act, but thereafter the said Council shall have power to levy the full rates and charges as aforesaid for or in respect of any yards or premises situated within the aforesaid limits which shall

before

before the commencement of this Act have been established, and which are now being used for the *bonâ fide* purpose of holding sales of cattle thereat; but the said privilege of paying only such half rates and charges as aforesaid shall not extend to any proprietor of any such last-mentioned yards or premises, unless he shall within one month after the date of the passing of this Act have given notice to the Council by writing under his hand that he claims the said privilege; but such privilege shall absolutely cease and determine if at any time after the date of the passing of this Act no sale of cattle shall have taken place at such yards or premises for a continuous period of six calendar months.

The recovery of fees, penalties, &c.

8. All sums of money which shall be imposed or made payable, and all penalties, forfeitures, and costs incurred under this Act or any by-laws hereunder, may be recovered from the auctioneer, agent, owner, or person selling said cattle at the suit of the said Borough Council of Bathurst, or the Clerk of the said Council, in a summary way before any Justice of the Peace under the provisions of the Act or Acts for the time being in force regulating proceedings on summary convictions; and if any such sum of money be not paid immediately after the order or conviction the same shall be levied by distress and sale of the goods and chattels of the offender or offenders, person or persons directed by such order to pay any such sum as aforesaid, and on failure of distress shall be enforced in the manner directed by the said Act or Acts, subject however to an appeal in the manner provided by the Act or Acts for the time being in force regulating appeals from Justices of the Peace.

Appeal.

Return of cattle sold in yards other than the Council's yards.

9. Auctioneers or persons selling or offering for sale cattle at any sale-yard, other than the yards established under this Act, and within the aforesaid limits, shall hand to the officer appointed by the said Borough Council of Bathurst for that purpose, between the first and seventh of every month, a return in writing of all cattle sold or offered for sale by them during the previous month, together with the amount of fees chargeable thereon, in accordance with the provisions and by-laws of this Act. Any auctioneer or person who neglects or refuses to make such return, or who shall make a false return, shall be liable to a penalty of not less than twenty shillings or more than five pounds for every such offence.

Short title.

10. This Act may be cited as the "Bathurst Cattle Sale-yards Act of 1889."

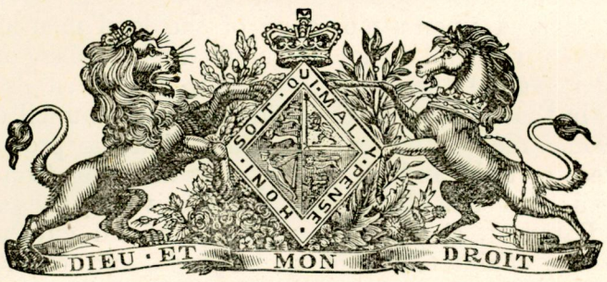
SCHEDULE.

Description of land.

All those eleven acres two roods of land in the parish and county of Bathurst: Commencing at a point bearing two hundred and seventy degrees one chain from the north-west corner of portion number eighty-one (being M. King's sixteen acres two roods and twenty-two perches); and bounded thence on the north by a line bearing two hundred and seventy degrees nine chains and two links; thence on the west by a line bearing one hundred and seventy-nine degrees twenty-five minutes twenty chains; thence on the south by a line bearing ninety degrees eight chains and sixty links; and thence on the east by a line bearing fifty-six minutes twenty chains to the point of commencement, exclusive of reserved road and railway line.

By Authority: CHARLES POTTER, Government Printer, Sydney, 1889.

[3*d*.]



I Certify that this PRIVATE BILL, *which originated in the* LEGISLATIVE ASSEMBLY, *has finally passed the* LEGISLATIVE COUNCIL *and the* LEGISLATIVE ASSEMBLY *of* NEW SOUTH WALES.

Legislative Assembly Chamber,
Sydney, 1 *October,* 1889, A.M.

F. W. WEBB,
Clerk of Legislative Assembly.

New South Wales.

ANNO QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ.

* *

An Act to authorize the erection and maintenance of Cattle Sale-yards by the Borough Council of Bathurst. [Assented to, 2nd October, 1889.]

Preamble.

WHEREAS by notice in the *Government Gazette* dated the second day of April, one thousand eight hundred and eighty-nine, the land described in the Schedule hereto was duly dedicated as a site for cattle sale-yards. And whereas it is expedient that yards for the sale of cattle should be established on the said land, and it is necessary for such purpose that full power should be given to the Borough Council of Bathurst to erect, construct, and maintain suitable buildings and yards and such other works as may be deemed expedient on such land or portion thereof, and for such purpose to borrow money and to charge fees and make by-laws for the maintenance and regulation of such sale-yards. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Interpretation of the word "cattle."

1. For the purpose of this Act the word "cattle" wherever used shall be taken to include all horses, mares, geldings, foals, bulls, cows, steers, heifers, calves, pigs, sheep, lambs, and goats, or any other live stock.

2.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

NINIAN MELVILLE,
Chairman of Committees of the Legislative Assembly.

Council may erect yards, &c.

2. It shall be lawful for the Borough Council of Bathurst to erect, construct, and maintain suitable buildings, yards, and such other works as may be deemed expedient, upon the land in the Schedule hereto set forth for the purpose of making provision for the sale of cattle therein.

Borrowing powers.

3. To provide funds for the erection, construction, and maintenance of buildings, yards, and such other works as may be deemed expedient as aforesaid, it shall be lawful for the said Borough Council of Bathurst to borrow any sum of money not exceeding three thousand pounds, at a rate of interest not exceeding eight pounds per centum per annum, secured upon a mortgage of the land mentioned in the Schedule hereto, with all usual covenants and powers of sale; and also upon mortgage of the fees and tolls to be levied as hereinafter provided, as in the opinion of the said Borough Council of Bathurst may be deemed most expedient, provided that the proceeds to arise from such fees or tolls, and all other profits accruing from the use of such sale-yards, and such other works, and received by the said Borough Council of Bathurst, shall, after payment of all current expense, incident to the maintenance of such yards and other works be appropriated towards the payment of the principal sum so borrowed and any interest thereon accrued; and an account, to be called the "Cattle Sale-yards Fund," shall be kept by the said Council; any surplus arising after payment of working expenses shall be transferred to the general account of the said Borough.

Disposal of profits.

4. After the said principal and interest are paid all profits accruing as aforesaid shall be passed to the credit of the general revenue of the said Borough Council of Bathurst at the end of each half-year.

By-laws.

5. The said Borough Council of Bathurst may from time to time appoint officers and servants, and make by-laws for the fixing and collecting of fees, charges, and the maintenance, regulation, and management of the said sale-yards and other works, and of all persons buying or selling therein or resorting thereto, and generally for carrying out the purpose of this Act. And such by-laws shall clearly set forth what pecuniary or other penalty or forfeiture shall be incurred by any breach thereof respectively. Provided always that no such pecuniary penalty shall in any case exceed the sum of five pounds.

No penalty to exceed five pounds.

Proof of by-laws.

6. All such by-laws shall, after approval by the Governor, be published in the *Gazette* and in one local newspaper. And the production of the *Gazette* or supplement thereof, purporting to contain a copy of any such by-laws, shall be sufficient evidence in any proceeding in any Court of Justice that such by-laws have been duly made and approved in accordance with the provisions of this Act.

Power to demand and take fees.

7. So soon as any such sale-yards shall be established and by-laws approved and published, the said Borough Council of Bathurst may demand from the auctioneer, agent, owner, or person selling the cattle, and take in respect of any cattle brought to any such sale-yards or yarded in or brought to any other sale-yards within the Borough of Bathurst or within two miles from any boundary thereof if such cattle be intended for sale by public auction or private contract, the fees or charges mentioned in the said by-laws. Provided that the fees or charges levied upon cattle brought to other sale-yards shall not exceed those levied upon cattle yarded in or brought to the sale-yards established under this Act. Provided further, that the said Council shall have only the power to levy one-half the same rates and charges which are chargeable in the Municipal Sale-yards for a period of six years from the passing of this Act, but thereafter the said Council shall have power to levy the full rates and charges as aforesaid for or in respect of any yards or premises situated within the aforesaid limits which shall before

before the commencement of this Act have been established, and which are now being used for the *bonâ fide* purpose of holding sales of cattle thereat; but the said privilege of paying only such half rates and charges as aforesaid shall not extend to any proprietor of any such last-mentioned yards or premises, unless he shall within one month after the date of the passing of this Act have given notice to the Council by writing under his hand that he claims the said privilege; but such privilege shall absolutely cease and determine if at any time after the date of the passing of this Act no sale of cattle shall have taken place at such yards or premises for a continuous period of six calendar months.

The recovery of fees, penalties, &c.

8. All sums of money which shall be imposed or made payable, and all penalties, forfeitures, and costs incurred under this Act or any by-laws hereunder, may be recovered from the auctioneer, agent, owner, or person selling said cattle at the suit of the said Borough Council of Bathurst, or the Clerk of the said Council, in a summary way before any Justice of the Peace under the provisions of the Act or Acts for the time being in force regulating proceedings on summary convictions; and if any such sum of money be not paid immediately after the order or conviction the same shall be levied by distress and sale of the goods and chattels of the offender or offenders, person or persons directed by such order to pay any such sum as aforesaid, and on failure of distress shall be enforced in the manner directed by the said Act or Acts, subject however to an appeal in the manner provided by the Act or Acts for the time being in force regulating appeals from Justices of the Peace.

Appeal.

Return of cattle sold in yards other than the Council's yards.

9. Auctioneers or persons selling or offering for sale cattle at any sale-yard, other than the yards established under this Act, and within the aforesaid limits, shall hand to the officer appointed by the said Borough Council of Bathurst for that purpose, between the first and seventh of every month, a return in writing of all cattle sold or offered for sale by them during the previous month, together with the amount of fees chargeable thereon, in accordance with the provisions and by-laws of this Act. Any auctioneer or person who neglects or refuses to make such return, or who shall make a false return, shall be liable to a penalty of not less than twenty shillings or more than five pounds for every such offence.

Short title.

10. This Act may be cited as the "Bathurst Cattle Sale-yards Act of 1889."

SCHEDULE.

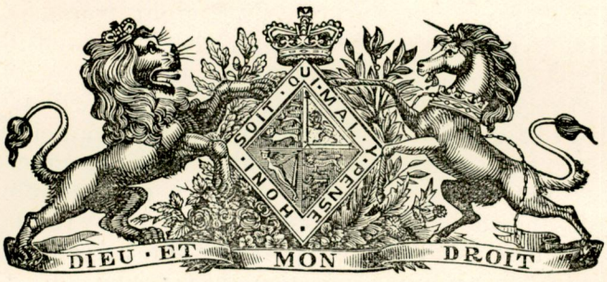
Description of land.

All those eleven acres two roods of land in the parish and county of Bathurst: Commencing at a point bearing two hundred and seventy degrees one chain from the north-west corner of portion number eighty-one (being M. King's sixteen acres two roods and twenty-two perches); and bounded thence on the north by a line bearing two hundred and seventy degrees nine chains and two links; thence on the west by a line bearing one hundred and seventy-nine degrees twenty-five minutes twenty chains; thence on the south by a line bearing ninety degrees eight chains and sixty links; and thence on the east by a line bearing fifty-six minutes twenty chains to the point of commencement, exclusive of reserved road and railway line.

In the name and on the behalf of Her Majesty I assent to this Act.

CARRINGTON.

Government House,
Sydney, 2 *October*, 1889.



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Legislative Assembly Chamber,
Sydney, 1 *October*, 1889, A.M.

F. W. WEBB,
Clerk of Legislative Assembly.

New South Wales.

ANNO QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ.

* * *

An Act to authorize the erection and maintenance of Cattle Sale-yards by the Borough Council of Bathurst. [Assented to, 2nd October, 1889.]

Preamble.

WHEREAS by notice in the *Government Gazette* dated the second day of April, one thousand eight hundred and eighty-nine, the land described in the Schedule hereto was duly dedicated as a site for cattle sale-yards. And whereas it is expedient that yards for the sale of cattle should be established on the said land, and it is necessary for such purpose that full power should be given to the Borough Council of Bathurst to erect, construct, and maintain suitable buildings and yards and such other works as may be deemed expedient on such land or portion thereof, and for such purpose to borrow money and to charge fees and make by-laws for the maintenance and regulation of such sale-yards. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Interpretation of the word "cattle."

1. For the purpose of this Act the word "cattle" wherever used shall be taken to include all horses, mares, geldings, foals, bulls, cows, steers, heifers, calves, pigs, sheep, lambs, and goats, or any other live stock.

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Chairman of Committees of the Legislative Assembly.

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2. It shall be lawful for the Borough Council of Bathurst to erect, construct, and maintain suitable buildings, yards, and such other works as may be deemed expedient, upon the land in the Schedule hereto set forth for the purpose of making provision for the sale of cattle therein.

Borrowing powers.

3. To provide funds for the erection, construction, and maintenance of buildings, yards, and such other works as may be deemed expedient as aforesaid, it shall be lawful for the said Borough Council of Bathurst to borrow any sum of money not exceeding three thousand pounds, at a rate of interest not exceeding eight pounds per centum per annum, secured upon a mortgage of the land mentioned in the Schedule hereto, with all usual covenants and powers of sale; and also upon mortgage of the fees and tolls to be levied as hereinafter provided, as in the opinion of the said Borough Council of Bathurst may be deemed most expedient, provided that the proceeds to arise from such fees or tolls, and all other profits accruing from the use of such sale-yards, and such other works, and received by the said Borough Council of Bathurst, shall, after payment of all current expense, incident to the maintenance of such yards and other works be appropriated towards the payment of the principal sum so borrowed and any interest thereon accrued; and an account, to be called the "Cattle Sale-yards Fund," shall be kept by the said Council; any surplus arising after payment of working expenses shall be transferred to the general account of the said Borough.

Disposal of profits.

4. After the said principal and interest are paid all profits accruing as aforesaid shall be passed to the credit of the general revenue of the said Borough Council of Bathurst at the end of each half-year.

By-laws.

5. The said Borough Council of Bathurst may from time to time appoint officers and servants, and make by-laws for the fixing and collecting of fees, charges, and the maintenance, regulation, and management of the said sale-yards and other works, and of all persons buying or selling therein or resorting thereto, and generally for carrying out the purpose of this Act. And such by-laws shall clearly set forth what pecuniary or other penalty or forfeiture shall be incurred by any breach thereof respectively. Provided always that no such pecuniary penalty shall in any case exceed the sum of five pounds.

No penalty to exceed five pounds.

Proof of by-laws.

6. All such by-laws shall, after approval by the Governor, be published in the *Gazette* and in one local newspaper. And the production of the *Gazette* or supplement thereof, purporting to contain a copy of any such by-laws, shall be sufficient evidence in any proceeding in any Court of Justice that such by-laws have been duly made and approved in accordance with the provisions of this Act.

Power to demand and take fees.

7. So soon as any such sale-yards shall be established and by-laws approved and published, the said Borough Council of Bathurst may demand from the auctioneer, agent, owner, or person selling the cattle, and take in respect of any cattle brought to any such sale-yards or yarded in or brought to any other sale-yards within the Borough of Bathurst or within two miles from any boundary thereof if such cattle be intended for sale by public auction or private contract, the fees or charges mentioned in the said by-laws. Provided that the fees or charges levied upon cattle brought to other sale-yards shall not exceed those levied upon cattle yarded in or brought to the sale-yards established under this Act. Provided further, that the said Council shall have only the power to levy one-half the same rates and charges which are chargeable in the Municipal Sale-yards for a period of six years from the passing of this Act, but thereafter the said Council shall have power to levy the full rates and charges as aforesaid for or in respect of any yards or premises situated within the aforesaid limits which shall before

before the commencement of this Act have been established, and which are now being used for the *bonâ fide* purpose of holding sales of cattle thereat; but the said privilege of paying only such half rates and charges as aforesaid shall not extend to any proprietor of any such last-mentioned yards or premises, unless he shall within one month after the date of the passing of this Act have given notice to the Council by writing under his hand that he claims the said privilege; but such privilege shall absolutely cease and determine if at any time after the date of the passing of this Act no sale of cattle shall have taken place at such yards or premises for a continuous period of six calendar months.

The recovery of fees, penalties, &c.

8. All sums of money which shall be imposed or made payable, and all penalties, forfeitures, and costs incurred under this Act or any by-laws hereunder, may be recovered from the auctioneer, agent, owner, or person selling said cattle at the suit of the said Borough Council of Bathurst, or the Clerk of the said Council, in a summary way before any Justice of the Peace under the provisions of the Act or Acts for the time being in force regulating proceedings on summary convictions; and if any such sum of money be not paid immediately after the order or conviction the same shall be levied by distress and sale of the goods and chattels of the offender or offenders, person or persons directed by such order to pay any such sum as aforesaid, and on failure of distress shall be enforced in the manner directed by the said Act or Acts, subject however to an appeal in the manner provided by the Act or Acts for the time being in force regulating appeals from Justices of the Peace.

Appeal.

Return of cattle sold in yards other than the Council's yards.

9. Auctioneers or persons selling or offering for sale cattle at any sale-yard, other than the yards established under this Act, and within the aforesaid limits, shall hand to the officer appointed by the said Borough Council of Bathurst for that purpose, between the first and seventh of every month, a return in writing of all cattle sold or offered for sale by them during the previous month, together with the amount of fees chargeable thereon, in accordance with the provisions and by-laws of this Act. Any auctioneer or person who neglects or refuses to make such return, or who shall make a false return, shall be liable to a penalty of not less than twenty shillings or more than five pounds for every such offence.

Short title.

10. This Act may be cited as the "Bathurst Cattle Sale-yards Act of 1889."

SCHEDULE.

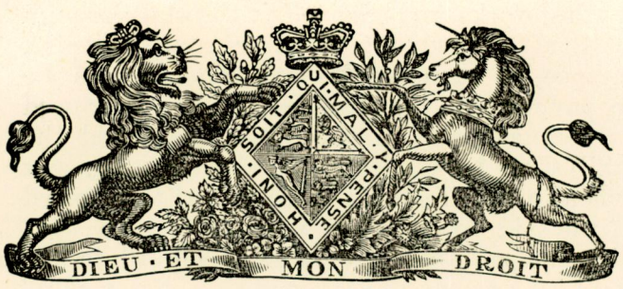
Description of land.

All those eleven acres two roods of land in the parish and county of Bathurst: Commencing at a point bearing two hundred and seventy degrees one chain from the north-west corner of portion number eighty-one (being M. King's sixteen acres two roods and twenty-two perches); and bounded thence on the north by a line bearing two hundred and seventy degrees nine chains and two links; thence on the west by a line bearing one hundred and seventy-nine degrees twenty-five minutes twenty chains; thence on the south by a line bearing ninety degrees eight chains and sixty links; and thence on the east by a line bearing fifty-six minutes twenty chains to the point of commencement, exclusive of reserved road and railway line.

In the name and on the behalf of Her Majesty I assent to this Act.

CARRINGTON.

Government House,
Sydney, 2 *October*, 1889.



This Private Bill *originated in the* Legislative Assembly, *and, having this day passed, is now ready for presentation to the* Legislative Council *for its concurrence.*

Legislative Assembly Chamber,
Sydney, 31 *July*, 1889.

F. W. WEBB,
Clerk of Legislative Assembly.

New South Wales.

ANNO QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ.

* *

An Act to authorize the erection and maintenance of Cattle Sale-yards by the Borough Council of Bathurst.

Preamble.

WHEREAS by notice in the *Government Gazette* dated the second day of April, one thousand eight hundred and eighty-nine, the land described in the Schedule hereto was duly dedicated as a site for cattle sale-yards. And whereas it is expedient that yards for the sale of cattle should be established on the said land, and it is necessary for such purpose that full power should be given to the Borough Council of Bathurst to erect, construct, and maintain suitable buildings and yards and such other works as may be deemed expedient on such land or portion thereof, and for such purpose to borrow money and to charge fees and make by-laws for the maintenance and regulation of such sale-yards. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Interpretation of the word "cattle."

1. For the purpose of this Act the word "cattle" wherever used shall be taken to include all horses, mares, geldings, foals, bulls, cows, steers, heifers, calves, pigs, sheep, lambs, and goats, or any other live stock.

2. It shall be lawful for the Borough Council of Bathurst to erect, construct, and maintain suitable buildings, yards, and such other works as may be deemed expedient, upon the land in the Schedule hereto set forth for the purpose of making provision for the sale of cattle therein. Council may erect yards, &c.

3. To provide funds for the erection, construction, and maintenance of buildings, yards, and such other works as may be deemed expedient as aforesaid, it shall be lawful for the said Borough Council of Bathurst to borrow any sum of money not exceeding three thousand pounds, at a rate of interest not exceeding eight pounds per centum per annum, secured upon a mortgage of the land mentioned in the Schedule hereto, with all usual covenants and powers of sale; and also upon mortgage of the fees and tolls to be levied as hereinafter provided, as in the opinion of the said Borough Council of Bathurst may be deemed most expedient, provided that the proceeds to arise from such fees or tolls, and all other profits accruing from the use of such sale-yards, and such other works, and received by the said Borough Council of Bathurst, shall, after payment of all current expense, incident to the maintenance of such yards and other works be appropriated towards the payment of the principal sum so borrowed and any interest thereon accrued; and an account, to be called the "Cattle Sale-yards Fund," shall be kept by the said Council; any surplus arising after payment of working expenses shall be transferred to the general account of the said Borough. Borrowing powers.

4. After the said principal and interest are paid all profits accruing as aforesaid shall be passed to the credit of the general revenue of the said Borough Council of Bathurst at the end of each half-year. Disposal of profits.

5. The said Borough Council of Bathurst may from time to time appoint officers and servants, and make by-laws for the fixing and collecting of fees, charges, and the maintenance, regulation, and management of the said sale-yards and other works, and of all persons buying or selling therein or resorting thereto, and generally for carrying out the purpose of this Act. And such by-laws shall clearly set forth what pecuniary or other penalty or forfeiture shall be incurred by any breach thereof respectively. Provided always that no such pecuniary penalty shall in any case exceed the sum of five pounds. By-laws. No penalty to exceed five pounds.

6. All such by-laws shall, after approval by the Governor, be published in the *Gazette* and in one local newspaper. And the production of the *Gazette* or supplement thereof, purporting to contain a copy of any such by-laws, shall be sufficient evidence in any proceeding in any Court of Justice that such by-laws have been duly made and approved in accordance with the provisions of this Act. Proof of by-laws.

7. So soon as any such sale-yards shall be established and by-laws approved and published, the said Borough Council of Bathurst may demand from the auctioneer, agent, owner, or person selling the cattle, and take in respect of any cattle brought to any such sale-yards or yarded in or brought to any other sale-yards within the Borough of Bathurst or within two miles from any boundary thereof if such cattle be intended for sale by public auction or private contract, the fees or charges mentioned in the said by-laws. Provided that the fees or charges levied upon cattle brought to other sale-yards shall not exceed those levied upon cattle yarded in or brought to the sale-yards established under this Act. Provided further, that the said Council shall have only the power to levy one-half the same rates and charges which are chargeable in the Municipal Sale-yards for a period of six years from the passing of this Act, but thereafter the said Council shall have power to levy the full rates and charges as aforesaid for or in respect of any yards or premises situated within the aforesaid limits which shall Power to demand and take fees.

before

before the commencement of this Act have been established, and which are now being used for the *bonâ fide* purpose of holding sales of cattle thereat; but the said privilege of paying only such half rates and charges as aforesaid shall not extend to any proprietor of any such last-mentioned yards or premises, unless he shall within one month after the date of the passing of this Act have given notice to the Council by writing under his hand that he claims the said privilege; but such privilege shall absolutely cease and determine if at any time after the date of the passing of this Act no sale of cattle shall have taken place at such yards or premises for a continuous period of six calendar months.

The recovery of fees, penalties, &c.

8. All sums of money which shall be imposed or made payable, and all penalties, forfeitures, and costs incurred under this Act or any by-laws hereunder, may be recovered from the auctioneer, agent, owner, or person selling said cattle at the suit of the said Borough Council of Bathurst, or the Clerk of the said Council, in a summary way before any Justice of the Peace under the provisions of the Act or Acts for the time being in force regulating proceedings on summary convictions; and if any such sum of money be not paid immediately after the order or conviction the same shall be levied by distress and sale of the goods and chattels of the offender or offenders, person or persons directed by such order to pay any such sum as aforesaid, and on failure of distress shall be enforced in the manner directed by the said Act or Acts, subject however to an appeal in the manner provided by the Act or Acts for the time being in force regulating appeals from Justices of the Peace.

Appeal.

Return of cattle sold in yards other than the Council's yards.

9. Auctioneers or persons selling or offering for sale cattle at any sale-yard, other than the yards established under this Act, and within the aforesaid limits, shall hand to the officer appointed by the said Borough Council of Bathurst for that purpose, between the first and seventh of every month, a return in writing of all cattle sold or offered for sale by them during the previous month, together with the amount of fees chargeable thereon, in accordance with the provisions and by-laws of this Act. Any auctioneer or person who neglects or refuses to make such return, or who shall make a false return, shall be liable to a penalty of not less than twenty shillings or more than five pounds for every such offence.

Short title.

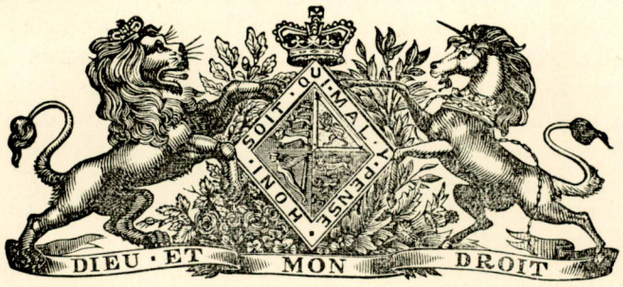
10. This Act may be cited as the "Bathurst Cattle Sale-yards Act of 1889."

SCHEDULE.

Description of land.

All those eleven acres two roods of land in the parish and county of Bathurst: Commencing at a point bearing two hundred and seventy degrees one chain from the north-west corner of portion number eighty-one (being M. King's sixteen acres two roods and twenty-two perches); and bounded thence on the north by a line bearing two hundred and seventy degrees nine chains and two links; thence on the west by a line bearing one hundred and seventy-nine degrees twenty-five minutes twenty chains; thence on the south by a line bearing ninety degrees eight chains and sixty links; and thence on the east by a line bearing fifty-six minutes twenty chains to the point of commencement, exclusive of reserved road and railway line.

Sydney: Charles Potter, Government Printer.—1889.



This PRIVATE BILL *originated in the* LEGISLATIVE ASSEMBLY, *and, having this day passed, is now ready for presentation to the* LEGISLATIVE COUNCIL *for its concurrence.*

Legislative Assembly Chamber,
Sydney, 31 *July*, 1889.

F. W. WEBB,
Clerk of Legislative Assembly.

New South Wales.

ANNO QUINQUAGESIMO TERTIO

VICTORIÆ REGINÆ.

* *

An Act to authorize the erection and maintenance of Cattle Sale-yards by the Borough Council of Bathurst.

Preamble.

WHEREAS by notice in the *Government Gazette* dated the second day of April, one thousand eight hundred and eighty-nine, the land described in the Schedule hereto was duly dedicated as a site for cattle sale-yards. And whereas it is expedient that yards for the sale of cattle should be established on the said land, and it is necessary for such purpose that full power should be given to the Borough Council of Bathurst to erect, construct, and maintain suitable buildings and yards and such other works as may be deemed expedient on such land or portion thereof, and for such purpose to borrow money and to charge fees and make by-laws for the maintenance and regulation of such sale-yards. Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

Interpretation of the word "cattle."

1. For the purpose of this Act the word "cattle" wherever used shall be taken to include all horses, mares, geldings, foals, bulls, cows, steers, heifers, calves, pigs, sheep, lambs, and goats, or any other live stock.

2. It shall be lawful for the Borough Council of Bathurst to erect, construct, and maintain suitable buildings, yards, and such other works as may be deemed expedient, upon the land in the Schedule hereto set forth for the purpose of making provision for the sale of cattle therein. **Council may erect yards, &c.**

3. To provide funds for the erection, construction, and maintenance of buildings, yards, and such other works as may be deemed expedient as aforesaid, it shall be lawful for the said Borough Council of Bathurst to borrow any sum of money not exceeding three thousand pounds, at a rate of interest not exceeding eight pounds per centum per annum, secured upon a mortgage of the land mentioned in the Schedule hereto, with all usual covenants and powers of sale; and also upon mortgage of the fees and tolls to be levied as hereinafter provided, as in the opinion of the said Borough Council of Bathurst may be deemed most expedient, provided that the proceeds to arise from such fees or tolls, and all other profits accruing from the use of such sale-yards, and such other works, and received by the said Borough Council of Bathurst, shall, after payment of all current expense, incident to the maintenance of such yards and other works be appropriated towards the payment of the principal sum so borrowed and any interest thereon accrued; and an account, to be called the "Cattle Sale-yards Fund," shall be kept by the said Council; any surplus arising after payment of working expenses shall be transferred to the general account of the said Borough. **Borrowing powers.**

4. After the said principal and interest are paid all profits accruing as aforesaid shall be passed to the credit of the general revenue of the said Borough Council of Bathurst at the end of each half-year. **Disposal of profits.**

5. The said Borough Council of Bathurst may from time to time appoint officers and servants, and make by-laws for the fixing and collecting of fees, charges, and the maintenance, regulation, and management of the said sale-yards and other works, and of all persons buying or selling therein or resorting thereto, and generally for carrying out the purpose of this Act. And such by-laws shall clearly set forth what pecuniary or other penalty or forfeiture shall be incurred by any breach thereof respectively. Provided always that no such pecuniary penalty shall in any case exceed the sum of five pounds. **By-laws.** **No penalty to exceed five pounds.**

6. All such by-laws shall, after approval by the Governor, be published in the *Gazette* and in one local newspaper. And the production of the *Gazette* or supplement thereof, purporting to contain a copy of any such by-laws, shall be sufficient evidence in any proceeding in any Court of Justice that such by-laws have been duly made and approved in accordance with the provisions of this Act. **Proof of by-laws.**

7. So soon as any such sale-yards shall be established and by-laws approved and published, the said Borough Council of Bathurst may demand from the auctioneer, agent, owner, or person selling the cattle, and take in respect of any cattle brought to any such sale-yards or yarded in or brought to any other sale-yards within the Borough of Bathurst or within two miles from any boundary thereof if such cattle be intended for sale by public auction or private contract, the fees or charges mentioned in the said by-laws. Provided that the fees or charges levied upon cattle brought to other sale-yards shall not exceed those levied upon cattle yarded in or brought to the sale-yards established under this Act. Provided further, that the said Council shall have only the power to levy one-half the same rates and charges which are chargeable in the Municipal Sale-yards for a period of six years from the passing of this Act, but thereafter the said Council shall have power to levy the full rates and charges as aforesaid for or in respect of any yards or premises situated within the aforesaid limits which shall **Power to demand and take fees.**

before

before the commencement of this Act have been established, and which are now being used for the *bonâ fide* purpose of holding sales of cattle thereat; but the said privilege of paying only such half rates and charges as aforesaid shall not extend to any proprietor of any such last-mentioned yards or premises, unless he shall within one month after the date of the passing of this Act have given notice to the Council by writing under his hand that he claims the said privilege; but such privilege shall absolutely cease and determine if at any time after the date of the passing of this Act no sale of cattle shall have taken place at such yards or premises for a continuous period of six calendar months.

The recovery of fees, penalties, &c.

8. All sums of money which shall be imposed or made payable, and all penalties, forfeitures, and costs incurred under this Act or any by-laws hereunder, may be recovered from the auctioneer, agent, owner, or person selling said cattle at the suit of the said Borough Council of Bathurst, or the Clerk of the said Council, in a summary way before any Justice of the Peace under the provisions of the Act or Acts for the time being in force regulating proceedings on summary convictions; and if any such sum of money be not paid immediately after the order or conviction the same shall be levied by distress and sale of the goods and chattels of the offender or offenders, person or persons directed by such order to pay any such sum as aforesaid, and on failure of distress shall be enforced in the manner directed by the said Act or Acts, subject however to an appeal in the manner provided by the Act or Acts for the time being in force regulating appeals from Justices of the Peace.

Appeal.

Return of cattle sold in yards other than the Council's yards.

9. Auctioneers or persons selling or offering for sale cattle at any sale-yard, other than the yards established under this Act, and within the aforesaid limits, shall hand to the officer appointed by the said Borough Council of Bathurst for that purpose, between the first and seventh of every month, a return in writing of all cattle sold or offered for sale by them during the previous month, together with the amount of fees chargeable thereon, in accordance with the provisions and by-laws of this Act. Any auctioneer or person who neglects or refuses to make such return, or who shall make a false return, shall be liable to a penalty of not less than twenty shillings or more than five pounds for every such offence.

Short title.

10. This Act may be cited as the "Bathurst Cattle Sale-yards Act of 1889."

SCHEDULE.

Description of land.

All those eleven acres two roods of land in the parish and county of Bathurst: Commencing at a point bearing two hundred and seventy degrees one chain from the north-west corner of portion number eighty-one (being M. King's sixteen acres two roods and twenty-two perches); and bounded thence on the north by a line bearing two hundred and seventy degrees nine chains and two links; thence on the west by a line bearing one hundred and seventy-nine degrees twenty-five minutes twenty chains; thence on the south by a line bearing ninety degrees eight chains and sixty links; and thence on the east by a line bearing fifty-six minutes twenty chains to the point of commencement, exclusive of reserved road and railway line.

Sydney: Charles Potter, Government Printer.—1889.

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