

*Muswellbrook Cattle Sale-yards.*MUSWELLBROOK
CATTLE SALE-YARDS.**An Act to authorize the erection and maintenance of Cattle Sale-yards by the Municipal Council of Muswellbrook within the Municipality of Muswellbrook. [1st July, 1886.]**

Preamble.

WHEREAS on or about the twenty-ninth day of June in the year of our Lord one thousand eight hundred and eighty-five the land in the Schedule hereto more specifically described was set apart by the Governor with the advice of the Executive Council and dedicated by a notice in the *Government Gazette* of that date for the purpose of Cattle Sale-yards at Muswellbrook and the said land has been duly vested in the Municipal Council of Muswellbrook 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 Municipal Council of Muswellbrook to erect and maintain suitable buildings and yards on such land 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 clause.

1. For the purpose of this Act the word "cattle" wherever used shall be taken to include horses mares geldings foals mules bulls cows bullocks steers heifers calves pigs sheep lambs and goats.

Council may erect
and maintain
premises.

2. It shall be lawful for the Municipal Council of Muswellbrook to erect and maintain suitable buildings yards and other premises upon the land in the Schedule hereto set forth for the purpose of making provision for the sale of cattle therein.

Power to Council to
borrow money.

3. To provide funds for the erection and maintenance of buildings yards and premises as aforesaid it shall be lawful for the said Municipal Council to borrow any sum of money not exceeding one thousand pounds at a rate of interest not exceeding eight pounds per centum per annum by debentures secured upon a mortgage of the rates fees and tolls to be levied as hereinafter provided or the general revenue of the Municipality from whatever source arising as in the opinion of the said Municipal Council shall be deemed most expedient provided that the proceeds to arise from such rates fees or tolls and all other profits arising from the use of such sale-yards and premises received by the said Municipal Council shall after payment of all current expenses incident to the maintenance of such premises 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.

Power to appoint
officers and make
by-laws.

4. The said Council may from time to time appoint officers and servants and make by-laws for the maintenance regulation and management of the said sale-yards and premises and of all persons buying or selling therein or resorting thereto and generally for carrying out the purposes 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
£5.

Proof of by-laws.

5. All such by-laws shall after the approval by the Governor with the advice of the Executive Council be published in the *Government Gazette* and in one local newspaper And the production of the *Government Gazette* purporting to contain a copy of any such by-laws shall

Ashfield Church of England School.

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.

6. As soon as any such sale-yards shall be established and by-laws approved and published the said Council may demand 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 Municipality of Muswellbrook 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 by the said Council 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. Power to demand and take fees.

7. All sums of money which shall be imposed or made payable and all penalties and forfeitures incurred under this Act or any by-laws made hereunder may be recovered at the suit of the said Council 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 either immediately after the order of conviction or within the time appointed by such order or conviction the same shall be levied by distress and sale of the goods and chattels of the offender or person 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. Recovery of penalties.

8. This Act may be cited as the "Muswellbrook Cattle Sale-yards Act of 1886." Short title.

SCHEDULE.

Number one hundred and ninety-five of the county of Durham parish of Rowan town of Muswellbrook area three acres The Crown Lands within the following boundaries Commencing at a point east and distant one chain fifty links from the south-east corner of site for pound of two acres being reserve number one hundred and ninety-one notified twelfth December one thousand eight hundred and eighty-four bounded thence on the west by a line south six chains thence on the south by a line east five chains thence on the east by a line north six chains thence on the north by a line west five chains to the point of commencement being measured portion shown on plan catalogued M. 41-856 Surveyor-General's Office.
