

An Act to authorize the erection and maintenance of Cattle Sale-yards by the Borough Council of Albury within the Borough of Albury. [13th December, 1887.]

ALBURY CATTLE  
SALE-YARDS.

**W**HEREAS on or about the twenty-fifth day of March, one thousand eight hundred and eighty-seven, certain land, being all that piece of land containing by admeasurement twenty-six acres one rood and ten perches, and being section one hundred and eight, Albury, more specifically described in the Schedule hereto, was dedicated and set apart by His Excellency the Governor, with the advice of the Executive Council, and dedicated by notice in the *Government Gazette* of this date, for the public purpose of Cattle Sale-yards in the town of Albury, and the said land has been duly vested in the Borough Council of Albury. 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 Albury 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:—

1. In the construction and for the purposes of this Act the word "cattle" wherever used shall include horses, mares, geldings, foals, mules, oxen, bulls, horned cattle, steers, heifers, calves, pigs, sheep, lambs and goats, and the word "Council" shall mean the Borough Council of Albury.

Interpretation  
clause.

2. It shall be lawful for the said Council to erect and maintain suitable buildings, yards and other premises upon the land described in the Schedule to this Act for the purpose of making provision for the sale of cattle therein.

Council may erect  
and maintain  
premises.

*Albury Cattle Sale-yards.*

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 Council to borrow any sum of money not exceeding one thousand five hundred 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 Albury Borough from whatever source arising as in the opinion of the said Council may be deemed most expedient. Provided that the proceeds to arise from such rates, fees or tolls, and all other profits accruing from the use of such sale-yards and premises received by the said 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 for determining the fees and charges to be paid as hereinafter provided, and the times and modes of collecting the same and enforcing the payment thereof, 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 approval by the Governor, with the advice of the Executive Council, be published in the *Gazette* and in one local newspaper. And the production of the *Gazette* 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.

6. So 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 Borough of Albury 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. 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 five 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 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.

Recovery of penalties.

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 hereunder may be recovered at the suit of the said Council or the clerk

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*Kent-street Roman Catholic Church Land Sale.*

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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 or 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.

8. This Act may be cited as the "Albury Cattle Sale-yards Short title.  
Act of 1887."

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THE SCHEDULE HEREINBEFORE REFERRED TO.

All that piece or parcel of land situated in the county of Goulburn, parish of Albury, containing an area of twenty-six acres one rood and ten perches, being the Crown Lands within the following boundaries, that is to say: Commencing at the intersection of the south side of Sydney-street with the west side of East-street, being a point bearing north eighty-nine degrees fifty-two minutes west two hundred and twenty-four links from the north-west corner of portion two hundred and eighty-one; and bounded thence on the north by the south side of Sydney-street aforesaid bearing west fifteen chains to the east side of Keene-street; thence on the west by that side of that street bearing south seventeen chains sixty-one links to the north boundary of portion seventy-four; thence on the south by part of that boundary and part of the north boundary of portion seventy-five bearing north eighty-nine degrees forty-six minutes east fifteen chains to the west side of East-street aforesaid; thence on the east by that side of that street bearing north seventeen chains fifty-five links to the point of commencement, being section one hundred and eight, town of Albury, as shown on plan catalogued T 207-33 in the district survey office at Albury.

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