

Armidale Cattle Sale-yards.

An Act to authorise the erection and main-
 tenance of cattle sale-yards by the borough
 council of Armidale within the said borough.
 [28th December, 1906.]

ARMIDALE CATTLE
 SALE-YARDS.

WHEREAS, the council of the borough of Armidale are desirous Preamble.
 of establishing yards for the sale of cattle in the said borough:
 And whereas it is expedient that such yards should be established
 on certain lands more specifically described in the Schedule hereto,
 and it is necessary for such purpose that full power be given to
 the council of the borough of Armidale to erect and maintain
 thereon suitable buildings and yards, and for such purpose to borrow
 money, by debentures or otherwise, secured upon a mortgage upon the
 said property, and of the rates, fees, and tolls to be levied thereat, as
 in the opinion of the said council may be deemed most expedient, and
 to charge fees and to make by-laws for the maintenance and regulation
 of such sale-yards, and to levy fees upon other sale-yards within or
 adjacent to the said borough: Be it therefore enacted by the King'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. For the purpose of this Act, the word "cattle," wherever Interpretation of the
 word "cattle."
 used, shall be taken to include all horses, mares, geldings, foals, mules,
 bulls, cows, bullocks, steers, heifers, calves, pigs, sheep, lambs, and
 goats, or any other live stock.

2. It shall be lawful for the council of the borough of Armidale Council may lease
 lands and establish
 yards, &c.
 to lease, acquire, and hold the land in the Schedule mentioned and
 described, and to establish yards, and to erect and maintain suitable
 buildings upon the said land described in the Schedule hereto for the
 sale of cattle therein.

3. To provide funds for the erection and maintenance thereon Power to borrow.
 of the said buildings, yards, and premises, it shall be lawful for
 the said council to borrow any sum of money, not exceeding seven
 hundred pounds, at a rate of interest not exceeding six pounds per
 centum per annum, by debentures or otherwise, secured upon a
 mortgage of the land mentioned in the Schedule hereto, with all
 usual covenants and powers of sale; and also upon the rates, fees, and
 tolls to be levied at the said sale-yards, or at other sale-yards, as
 hereinafter provided: Provided that the proceeds to arise from such Disposal of profits.
 rates, fees, tolls, fines, penalties, and forfeitures, 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
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the maintenance of such buildings, yards, and 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 the guidance of all persons buying or selling therein or resorting thereto, and for levying fees and charges as hereinafter mentioned, 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 or forfeiture shall in any case exceed the sum of five pounds.

No penalty to exceed five pounds.

Approval and 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 containing a copy of 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 such sale-yards, or yarded in or brought to any other sale-yards within the borough of Armidale, or within two miles of the boundaries of the said borough, 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.

Recovery of moneys.

7. All sums of money which shall be imposed or made payable, and all penalties and forfeitures incurred under this Act, or any by-law hereunder, may be recovered at the suit of the said council, or the clerk of the said council 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.

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8. This Act may be cited as the “ Armidale Cattle Sale-yards Short title
Act of 1906.”

SCHEDULE.

ALL that piece or parcel of land situate in the city of Armidale, parish of Armidale, and county of Sandon, being allotments numbered one, two, three, four, five, six, seven, eleven, twelve, thirteen, and fourteen of section sixty-one, and containing altogether five acres one rood and thirty and one-half perches, being the land contained in special lease number four thousand and three, and notified in the Government Gazette dated the twenty-seventh day of April, one thousand nine hundred and four, held in the name of the Armidale Borough Council under and by virtue of the Crown Lands Act of 1884.