



# Markets and Fairs (Weighing of Cattle) Act 1887

1887 CHAPTER 27 50 and 51 Vict

An Act to amend the Law with respect to weighing Cattle in Markets and Fairs. [8th August 1887]

## Modifications etc. (not altering text)

- C1 Act amended by [Markets and Fairs \(Weighing of Cattle\) Act 1891 \(c. 70\)](#);
- C2 Preamble omitted under authority of [Statute Law Revision Act 1908 \(c. 49\)](#)
- C3 This Act is not necessarily in the form in which it has effect in Northern Ireland

## 1 Short title.

This Act may be cited as the Markets and Fairs (Weighing of Cattle) Act 1887.

## 2 Application of Act.

This Act, save as is herein-after provided, shall apply to all markets and fairs in which tolls are for the time being authorised to be taken and actually are taken in respect of cattle by any company, corporation, or person; and every such company, corporation, or person is in this Act called “the market authority.”

## 3 Interpretation.

In this Act the word “cattle” includes ram, ewe, wether, lamb, and swine.

## 4 Accommodation for weighing cattle to be provided. <sup>X1</sup>

In or near to every market or fair to which this Act applies, the market authority shall provide and maintain sufficient and proper buildings or places for weighing cattle brought for sale within the market or fair, and shall keep therein or near thereto weighing machines and weights for the purpose of weighing cattle, and shall appoint

*Changes to legislation: There are currently no known outstanding effects for the Markets and Fairs (Weighing of Cattle) Act 1887. (See end of Document for details)*

proper persons to have charge of such machines and weights, and to afford the use of such machines and weights to the public for weighing cattle as may be from time to time required.

F1

If the market authority fail to comply with the provisions of this section, it shall not be lawful for them to demand, receive, or recover any toll whatever in respect of any cattle brought to the market or fair for sale so long as such failure continues, but this enactment shall not apply till after the first day of January one thousand eight hundred and eighty-eight.

Any person who demands or receives any toll in respect of cattle in any market or fair to which for the time being this Act applies, but in which the market authority have not complied with the provisions of this Act, shall be liable on summary conviction to a fine not exceeding [F2level 1 on the standard scale.]

**Editorial Information**

X1 Ss. 4, 5, 8, 9, Sch. repealed (E.W.) as respects (a) any local authority outside London which was a market authority for purposes of [Food and Drugs Act 1938 \(c. 56\)](#) by *ibid.*, Sch. 4 Pt. I and (b) any London borough council which was a market authority for purposes of [Food and Drugs Act 1955 \(4 & 5 Eliz. 2 c. 16\)](#), **Pt. III** by [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

**Textual Amendments**

F1 Words repealed by [Weights and Measures Act 1963 \(c. 31\)](#), **Sch. 9 Pt. I**  
F2 Words substituted (E.W.S.) by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46 and (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), s. 289G

**5 Cattle to be weighed at option of seller or buyer.** X2

Every person selling, offering for sale, or buying any cattle in a market or fair provided with accommodation for weighing cattle may require such cattle to be weighed, and the tolls payable in respect of the weighing shall be paid by the person requiring the cattle to be weighed to the person authorised by the market authority to receive the tolls.

**Editorial Information**

X2 Ss. 4, 5, 8, 9, Sch. repealed (E.W.) as respects (a) any local authority outside London which was a market authority for purposes of [Food and Drugs Act 1938 \(c. 56\)](#) by *ibid.*, Sch. 4 Pt. I and (b) any London borough council which was a market authority for purposes of [Food and Drugs Act 1955 \(4 & 5 Eliz. 2 c. 16\)](#), **Pt. III** by [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

**6, 7.** ..... F3

**Textual Amendments**

F3 S. 6, 7 repealed by [Weights and Measures Act 1963 \(c. 31\)](#), **Sch. 9 Pt. II**

*Changes to legislation:* There are currently no known outstanding effects for the Markets and Fairs (Weighing of Cattle) Act 1887. (See end of Document for details)

## 8 Tolls for weighing cattle. <sup>X3</sup>

The market authority may from time to time (unless otherwise expressly provided by any Act) demand and receive in respect of the weighing of cattle tolls not exceeding the amounts specified in the schedule to this Act, or such other amounts as may be authorised by [<sup>F4</sup>the Secretary of State] to be taken by the market authority; and sections thirty-six to forty-one (both included) of the <sup>M1</sup>Markets and Fairs Clauses Act 1847, shall apply to the tolls mentioned in this section, as if this Act were the special Act, and the market authority were the undertakers.

### Editorial Information

**X3** Ss. 4, 5, 8, 9, Sch. repealed (E.W.) as respects (a) any local authority outside London which was a market authority for purposes of [Food and Drugs Act 1938 \(c. 56\)](#) by *ibid.*, Sch. 4 Pt. I and (b) any London borough council which was a market authority for purposes of [Food and Drugs Act 1955 \(4 & 5 Eliz. 2 c. 16\)](#), **Pt. III** by [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

### Textual Amendments

**F4** “Secretary of State” substituted for “Local Government Board” by virtue of [Ministry of Health Act 1919 \(c. 21\)](#), **s. 3(1)(a)**, [S.I. 1951/753 \(1951 I, p. 1354\)](#), art. 2(1), Sch. 1, 1951/1900 (1951 I, p. 1347), art. 1(1), 1965/319, art. 2(1), Sch. 1 Pt. I and 1970/1681, art. 2(1)

### Marginal Citations

**M1** 1847 c. 14.

## 9 Power to exempt certain markets and fairs from provisions of Act. <sup>X4</sup>

- (1) The market authority of any market or fair may at any time apply to the Local Government Board to be exempted from the provisions of this Act . . . . .<sup>F5</sup>; and thereupon the Local Government Board may by order declare that this Act shall not apply to such market or fair until after the expiration of a time not exceeding three years to be limited by such order. Any order made under this section may at any time be wholly or partially rescinded, altered, or extended by any subsequent order of the Local Government Board.
- (2) This Act shall not apply to any market or fair to which any order under this section applies so long as it is declared by such order that this Act shall not apply thereto.

### Editorial Information

**X4** Ss. 4, 5, 8, 9, Sch. repealed (E.W.) as respects (a) any local authority outside London which was a market authority for purposes of [Food and Drugs Act 1938 \(c. 56\)](#) by *ibid.*, Sch. 4 Pt. I and (b) any London borough council which was a market authority for purposes of [Food and Drugs Act 1955 \(4 & 5 Eliz. 2 c. 16\)](#), **Pt. III** by [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

### Textual Amendments

**F5** Words repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), **Sch. Pt. II**

### Modifications etc. (not altering text)

**C4** S. 9 amended by [Markets and Fairs \(Weighing of Cattle\) Act 1926 \(c. 21\)](#), **s. 2**; power to extend s. 9 conferred by [Agriculture Act 1967 \(c. 22\)](#), **s. 4(1)(a)**

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- C5** Functions of Local Government Board under s. 9 now exercisable by Minister of Agriculture, Fisheries and Food: [Markets and Fairs \(Weighing of Cattle\) Act 1891 \(c. 70\), s. 1](#); [Board of Agriculture and Fisheries Act 1903 \(c. 31\), s. 1\(1\)](#), [Ministry of Agriculture and Fisheries Act 1919 \(c. 91\), s. 1\(1\)](#) and [S.I. 1955/554 \(1955 I, p. 1200\), art. 3\(1\)](#)

## 10 Application of Act to Scotland and Ireland.

In the application of this Act to Scotland and Ireland this Act shall be read and construed as if for the expression [<sup>F6</sup>“the Secretary of State”] there were substituted, as regards Scotland, the expression [<sup>F7</sup>“the Secretary of State”] and as regards Ireland, the expression “the Local Government Board for Ireland.”

### Textual Amendments

- F6** “Secretary of State” substituted for “Local Government Board” by virtue of [Ministry of Health Act 1919 \(c. 21\), s. 3\(1\)\(a\), S.I. 1951/753 \(1951 I, p. 1354\), art. 2\(1\), Sch. 1, 1951/1900 \(1951 I, p. 1347\), art. 1\(1\), 1965/319, art. 2\(1\), Sch. 1 Pt. I and 1970/1681, art. 2\(1\)](#)
- F7** “Secretary of State” substituted for “Secretary for Scotland” by virtue of [Markets and Fairs \(Weighing of Cattle\) Act 1891 \(c. 70\), s. 1](#), [Board of Agriculture and Fisheries Act 1903 \(c. 31\), s. 1\(1\)](#), [Small Landholders \(Scotland\) Act 1911 \(c. 49\), s. 4\(1\)\(11\), Sch. 1](#), [Reorganisation of Offices \(Scotland\) Act 1928 \(c. 34\), s. 1\(1\)](#) and [Reorganisation of Offices \(Scotland\) Act 1939 \(c. 20\), s. 1\(1\)](#)

### Modifications etc. (not altering text)

- C6** Reference to Ireland to be construed as exclusive of Republic of Ireland: [S.R. & O. 1923/405 \(Rev. X, p. 298: 1923, p. 400\), art. 2](#)

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[<sup>F8X5</sup>THE SCHEDULE]

**Editorial Information**

- X5** Ss. 4, 5, 8, 9, Sch. repealed (E.W.) as respects (a) any local authority outside London which was a market authority for purposes of [Food and Drugs Act 1938 \(c. 56\)](#) by *ibid.*, Sch. 4 Pt. I and (b) any London borough council which was a market authority for purposes of [Food and Drugs Act 1955 \(4 & 5 Eliz. 2 c. 16\)](#), **Pt. III** by [London Government Act 1963 \(c. 33\)](#), **Sch. 18 Pt. II**

**Textual Amendments**

- F8** Sch. substituted by [Markets and Fairs \(Weighing of Cattle\) Act 1926 \(c. 21\)](#), s. 3, **Sch.**

**Modifications etc. (not altering text)**

- C7** Reference to threepence to be read as referring to equivalent amount in new currency: [Decimal Currency Act 1969 \(c. 19\)](#), **s. 10(1)**

**Not exceeding**

For every head of cattle other than sheep or swine [<sup>F9</sup>2½p]

For every five or less number of sheep or swine threepence

**Textual Amendments**

- F9** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\)](#), **s. 10(1)**

**Changes to legislation:**

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