



ANNO DUODECIMO

VICTORIÆ REGINÆ.

Cap. vi.

An Act for better establishing and maintaining the Market Place and Markets at *Longton*, heretofore called *Lane End*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*.

[11th *May* 1849.]

WHEREAS for many Years past a Market has been held and continues to be holden at *Longton*, heretofore called *Lane End*, in the Parish of *Stoke-upon-Trent* in the County of *Stafford*, in a Place there called the Market Place, and a Market House or Hall, with Stalls and Standings, have been provided for the Use of Persons frequenting the said Market: And whereas the said Market and Market Place is inadequate for the Demands and Convenience of the Inhabitants of the said Town and the Neighbourhood, and it is expedient that the said Market should be enlarged, and more permanently established and regulated: And whereas the Persons herein-after named are willing, at their own Costs and Charges, to carry such Undertaking into execution; but the same cannot be effected without the Authority of Parliament: May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

[*Local.*]

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That

8 & 9 Vict.
cc. 16. & 18.
and 10 & 11
Vict. c. 14.
incorporated
with this
Act.

That the following Acts of Parliament, (that is to say,) "The Lands Clauses Consolidation Act, 1845," "The Companies Clauses Consolidation Act, 1845," and "The Markets and Fairs Clauses Act, 1847," so far as the same respectively are not varied by the Provisions of this Act, shall be incorporated with and form Part of this Act.

Nothing to
authorize
Company to
take Lands
without
Consent.

II. Provided always, and be it enacted, That nothing in this Act or the said Lands Clauses Consolidation Act shall authorize the Company herein-after incorporated to purchase, take, or use any Lands for the Purposes of this Act, unless with the Consent of and by Agreement with the Owners, Lessees, and Occupiers thereof.

Quarter
Sessions.

III. And be it enacted, That the Expression "Quarter Sessions" in this and the said incorporated Acts shall be construed to mean the Quarter Sessions of the Peace for the County of *Stafford* holden at *Stafford*.

Short Title.

IV. And be it enacted, That in citing this Act in other Acts of Parliament, and in legal Instruments, it shall be sufficient to use the Expression "The *Longton* Market Act, 1849."

Corporation.

V. And be it enacted, That *Charles Harvey* the elder, *Charles Harvey* the younger, *John Harvey*, *William Kenwright Harvey*, *Sampson Bridgwood*, *John Lockett*, *James Glover*, *Benjamin Singleton Brough*, *Ralph Steele*, *John Ashwell*, *Thomas Barlow*, *Jesse Ridge*, *Joseph Ridge*, *Thomas Hulse* the younger, *James Meakin*, *John Palmer*, *Joseph Salt*, *Henry Brassington*, *Samuel Bridgwood*, *William Clarke*, and all other Persons and Corporations who have already subscribed or shall hereafter subscribe to the Undertaking, and their Executors, Administrators, Successors, and Assigns respectively, shall be united into a Company for carrying on and continuing, maintaining, altering, improving, and enlarging the said Market and Market Place, and the Approaches thereto, together with all proper Works and Conveniences connected therewith and belonging thereto, within the Limits of this Act prescribed, upon the Lands described in Schedule (A.) to this Act annexed, according to the Provisions of this Act and of the said incorporated Acts, and for other the Purposes herein and in the same Acts contained; and for the Purposes aforesaid such Company shall be and are hereby incorporated by the Name of "The *Longton* Market Company," and by that Name shall be a Body Corporate with perpetual Succession, and shall and may sue and be sued, and shall have Power to purchase and hold Lands for the Purposes of the said Undertaking, within the Restrictions herein and in the said Acts herewith incorporated contained; and that the Lands, Buildings, and Hereditaments described in Schedule (A.) to this Act annexed shall be vested in the said *Longton* Market Company.

Limits of
Act.

VI. And be it enacted, That the Limits within which this and the incorporated Acts shall be put in force shall be as follows; (that is to say,) the Liberty, Township, Hamlet, or Vill of *Lane End* and *Longton* (now commonly called *Longton*) in the Parish of *Stoke-upon-Trent* in the County of *Stafford*.

VII. And

VII. And be it enacted, That the Capital of the said Company shall be Sixteen thousand Pounds. Capital.

VIII. And be it enacted, That the Number of Shares into which the Capital of the said Company shall be divided shall be Two hundred, and that the Amount of each Share shall be Eighty Pounds, of which Forty Pounds have been paid up. Number and Amount of Shares.

IX. And be it enacted, That Two Pounds *per* Share shall be the greatest Amount of any One Call which the Company may make on the Shareholders in respect of the unpaid up Capital, and Three Months at least shall be the Interval between the successive Calls. Calls.

X. And be it enacted, That no Shareholder shall be entitled to hold more than Ten Shares in the said Company, unless more than Ten such Shares shall be derived by Marriage, or shall descend upon or be given or bequeathed by Will to him or her respectively, or unless such a Number of Shares shall be derived by Marriage or shall descend upon or be given or bequeathed to him or her respectively as with the Number of Shares then already held by him or her shall exceed Ten in Number. Limitation of Number of Shares to be held.

XI. And be it enacted, That if any Shareholder shall by Purchase, or any other Means than those herein-before mentioned, become possessed of or entitled to more than Ten Shares in the said Undertaking, every such Shareholder shall and he or she is hereby required, upon Notice in Writing under the Hands of Two Directors or of the Clerk to the Company, to sell and dispose of all such Shares as may be held by him or her over and above the said limited Number of Ten. If Shareholder hold more than Ten Shares, the Surplus to be sold.

XII. And be it enacted, That if for the Space of Three Months after Notice in Writing to any Shareholder holding more than Ten Shares (except as herein is provided for), requiring such Shareholder to sell and dispose of so many of his said Shares as will reduce the Number of Shares then held by him to Ten only, such Shareholder shall neglect or refuse so to sell and dispose of the surplus Shares, and to comply with the said Notice, such Number of Shares as he shall hold over and above the said limited Number of Ten shall become forfeited, and may, without any further or other Notice, be disposed of by the Directors as they may think proper, and the Proceeds of such Sale shall be applied in and towards and form Part of the Sinking Fund herein-after mentioned. Surplus Shares to be forfeited if not disposed of.

XIII. And be it enacted, That it shall be lawful for the Company or Directors from Time to Time to borrow for the Purposes of this Act, upon Mortgage of all or any of the Property and Premises belonging to them, or of the Rents or Sums of Money accruing from the said Market, and from the Tolls and Rents herein-after set forth, or upon their Bond or otherwise, any Sum or Sums of Money not exceeding in the whole the Sum of Five thousand three hundred and thirty Pounds; but that no Part of such Sum shall be raised until the whole of the said Capital or Sum of Sixteen thousand Pounds shall have Power to borrow Money on Mortgage.

have been subscribed for, and One Half thereof shall have actually been paid up.

Priority of certain Mortgages.

XIV. And whereas Provision is made in this or the said incorporated Acts for the Repayment of the Sums so to be raised by Mortgage or Bond as aforesaid: And whereas the several Persons named in the Schedule (G.) to this Act annexed have already advanced the several Sums affixed to their Names respectively, and the same are still owing: Be it enacted, That the said several Sums so owing shall during the Continuance thereof have Priority over any Mortgages or Bonds to be created by virtue of this Act: Provided always, that, except as is herein-before excepted, no Mortgage or Bond created by virtue of this Act shall have Priority over any other Mortgages or Bonds similarly created.

No Priority in other Cases.

Arrears may be enforced by Appointment of Receiver.

XV. And be it enacted, That it shall be lawful for the Mortgagees of the Company to enforce the Payment of Principal and Arrears of Interest due on any such Mortgages by the Appointment of a Receiver; and in order to authorize the Appointment of such Receiver, in the event of the Principal Monies not being duly paid, the Amount owing to the Mortgagees by whom Application for such Receiver shall be made shall not be less than One thousand Pounds in the whole.

First and other Meetings.

XVI. And be it enacted, That the First Ordinary Meeting of the Company shall be held at *Longton* within Three Months after the passing of this Act, and an Ordinary or Quarterly Meeting shall be held on the First *Thursday* after *Lady Day*, *Midsummer Day*, *Michaelmas Day*, and *Christmas Day* in each Year, or at such other stated Periods as shall be appointed for that Purpose by an Order of a General Meeting; and all Meetings, whether ordinary or extraordinary, shall be held at such Places within the Limits of this Act as the Directors of the Company for the Time being shall appoint; and all Questions shall be decided by the Majority of Shareholders present at such Meetings qualified to vote; and that the Presence of Seven Shareholders shall be sufficient to constitute a Meeting.

Extra General Meeting may be convened by Shareholders.

XVII. And be it enacted, That the Number of Shareholders on whose Requisition an extra General Meeting may be required to be convened shall be not less than Three, holding Two Shares each at the least in the Capital.

Votes of Shareholders.

XVIII. And be it enacted, That no Shareholders shall be entitled to vote at any Meeting unless he be a Holder of Two Shares at least, neither shall any Shareholder be entitled to more than One Vote.

Proxies.

XIX. And be it enacted, That no Shareholder shall be entitled to hold more than Three Proxies, such Proxies to be in Writing, and signed by the Party giving the same.

Number and Qualification of Directors.

XX. And be it enacted, That the Number of Directors shall never be more than Seven nor less than Five, Three of whom shall form a Quorum; and the Qualification of a Director shall be the Possession, in his own Right, of not less than Four Shares in the Undertaking.

XXI. And

Buildings
attached
thereto.

niences thereto attached; or to make, erect, construct, provide, and put up on all or any Part of the said Premises mentioned in the said Schedule (A.), or on any Lands to be hereafter purchased or acquired by the said Company, any Slaughter-house or Slaughter-houses, or other Buildings for the slaughtering of Cattle, and any new, additional, or other Building or Buildings, Stalls, Standings, Bulks, Blocks, Sheds, Shops, or other Conveniences, for the Purposes or Objects of the said Market, as to the said Company shall appear necessary or convenient, or by means whereof the Purposes of this Act may be carried into execution.

Application
of Monies.

XXVIII. And be it enacted, That the Monies arising from the said Market or Markets, and the Rates and Tolls herein-after provided, and the Rents and Profits of the Property now or hereafter belonging to the said Company as aforesaid, and all other Monies arising under this Act, shall be applied by the said Company, in the first place, in or for the Payment of the Expenses of obtaining and passing this Act or incident thereto, and of such Sum or Sums as shall have been borrowed for that Purpose, with lawful Interest thereon; and afterwards, as the said Company or Directors shall think proper, in the Payment of the Expenses and Disbursements of and attending the Continuance, Maintenance, Improvement, and keeping up of the said Market and Market Place, and the regulating, ordering, and Management thereof, and in the Payment of the annual Dividend herein-after mentioned, and of such Sum or Sums as have been or may be hereafter raised by Mortgage, Bond, or otherwise, upon the Security or Credit of the said Property, or of the Rates aforesaid, and the Interest thereof, and all Taxes, Salaries, and Allowances to Officers, and other incidental Expenses: Provided nevertheless, that the Dividend to be declared by the said Company or Directors shall not exceed Five Pounds *per Centum per Annum* on the Capital hereby expressed or declared to be paid up and on all future Calls.

Power to
form a Sink-
ing Fund.

XXIX. And be it enacted, That it shall be lawful for the said Company or Directors from Time to Time to set apart and appropriate any surplus Funds which may remain after the Applications aforesaid, and Payment of a Dividend not exceeding Five Pounds *per Centum per Annum* as aforesaid upon each Share of the Capital of the said Company expressed or declared to be paid up, and future Calls, to the Formation of a Sinking Fund; and that it shall be lawful for the said Company or Directors to apply the Amount of such Sinking Fund so formed as aforesaid, or any Part thereof, from Time to Time in or to the Improvement of the said Township of *Longton*, or in such other Manner as they may think fit.

Power to
take Tolls for
Stands, &c.
in Markets.

XXX. And be it enacted, That it shall be lawful for the said Company or the Directors thereof from Time to Time to demand from any Person or Persons occupying or using any Stand, Stall, Shed, Pen, or Place in the said Market Place or Building, or Ground connected therewith, or on Land or Building hereafter to be used for the Purposes of the said Market, or bringing within the Limits of this Act, or into the said Market Place, Buildings, or Ground, any marketable Commodities, Provisions, Articles, or Things specified in Schedule (B.)

to this Act annexed, such Stallage, Rents, and Tolls as the said Company or Directors shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule (B.): Provided always, that in the event of any such Article being of a perishable Nature, then and in such Case, and so often as it shall so happen, it shall be lawful for the Collector, Farmer, Lessee, or other Person so authorized to receive the same, either by himself or his Assistants, to levy the same by Distress and Sale of all or any of such perishable Articles and Things so offered or exposed to Sale, and the Distress and Distresses so taken to sell immediately, or at any Time in the Day of levying the same, or within a reasonable Time thereafter, rendering the Overplus, if any there be, after deducting the Expenses of such Distress and Sale, to the Person or Persons whose Property such perishable Articles or Things were at the Time of levying every such Distress.

XXXI. And be it enacted, That it shall be lawful for the said Company or Directors from Time to Time to demand in the Cattle Market or Fair, from any Person bringing therein or within the Limits of this Act any Cattle or other live Stock, as specified in the Schedule (C.) to this Act annexed, such Stallages, Rents, and Tolls as the said Company or Directors shall from Time to Time appoint, not exceeding the several Stallages, Rents, and Tolls specified in the said Schedule (C.)

Power to take Tolls for Cattle Market;

XXXII. And be it enacted, That it shall be lawful for the said Company or Directors to demand from any Person slaughtering Cattle in any Slaughter-house belonging to the said Company such Tolls as are specified in Schedule (D.) to this Act annexed.

for Slaughter-houses;

XXXIII. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend to the Weighing-houses, or Places for weighing or measuring any Article sold in the said Market Place by Weight or Measure, from Time to Time to demand such Tolls as the said Company or Directors shall appoint, not exceeding in any Case the Amount set forth in the Schedule (E.) to this Act annexed.

for weighing and measuring;

XXXIV. And be it enacted, That it shall be lawful for the Person for the Time being appointed to attend the Machines for weighing Carts or other Vehicles, Commodities or Things, within the Limits of this Act, to demand from the Person requiring the same to be weighed such Tolls as the said Company or Directors may appoint, not exceeding in any Case the Amount set forth in the Schedule (F.) to this Act annexed; and such Tolls shall be paid before any Waggon, Cart, or Carriage in respect of which the same are payable shall be weighed.

and for weighing Carts.

XXXV. And be it enacted, That it shall be lawful for the said Company or Directors from Time to Time to demise and let the said Market or Market Place, or any Part thereof, or any Building or Shop belonging to the said Company, and the said Slaughter-houses, Weighing-houses, or Places, and Machines, or any of them, or the said Stallages,

Power to lease the Market for Seven Years.

Stallages, Rents, or Tolls, or any of them, or any other Buildings, Shops, and Premises now or at any Time hereafter belonging to the said Company, for any Period not exceeding Seven Years, upon such Terms as shall be agreed upon between the said Company or Directors and the Person to whom such Lease shall be made.

Power to
lease Stand-
ings in the
Market.

XXXVI. And be it enacted, That it shall be lawful for the said Company or Directors to let any of the said Slaughter-houses, Shops, Stalls, Standings, Benches, Places, or other Conveniences in the said Market or Market Place for any Term not exceeding Seven Years.

Power to
assign Lease
of Standings.

XXXVII. And be it enacted, That it shall be lawful for the Lessee of the said Market Place, or of any such Slaughter-house, Shop, Stall, or Standing, or other Convenience as aforesaid, his Executors, Administrators, or Assigns, with the Consent in Writing of the said Company, but not otherwise, to assign the same for the Residue of his Term.

Saving
Rights of
Richard E.
Heathcote
as Lord of
the Manor.

XXXVIII. And whereas *Richard Edensor Heathcote* is or claims to be Lord of the Manor of *Longton*, and as such claims to be entitled to certain Franchises within the said Manor: Be it enacted, That nothing in this Act contained shall extend or be construed to extend to limit, abridge, or otherwise take away any Franchises, Rights, or Properties to which the said *Richard Edensor Heathcote* is entitled.

Application
of Penalties.

XXXIX. And be it enacted, That with respect to the Application of any Penalties or Forfeitures recovered by virtue of this Act or of the Acts incorporated herewith, or any or either of them, other than such Penalties or Forfeitures as may be recovered from the said Company, or any Person or Persons acting on their Behalf, the Justice by whom any such Penalty or Forfeiture shall be imposed may award any Part thereof not exceeding One Half to the Informer, and the Remainder, or the whole in case no Part shall be awarded to the Informer, to the said Company or their Treasurer, to be applied for and towards and to form Part of the Sinking Fund herein-before authorized by this Act to be formed.

Public Act.

XL. And be it enacted, That this Act shall be a Public Act, and shall be judicially taken notice of as such.

The SCHEDULES to which this Act refers.

SCHEDULE (A.)

Situation of Property.	Description of Property.	Owner or reputed Owner.	Lessee or reputed Lessee.	Occupiers.
The Market Place and the Western Side of Chancery Lane in Longton in the Parish of Stoke upon Trent in the County of Stafford.	A Plot of Land lying in front of the Market House or Market Hall as now and for many Years past occupied and used for the Purposes of the Market. The Ground or Basement Floor of the said Market House or Market Hall and the said Market House or Market Hall, - - - A Plot of Land behind the said Market House or Market Hall used as a Butchery and Butter Market, with covered Stalls or Shambles and Sheds standing thereon	The present Proprietors of Lane End Market.	George Barker and William Tomlinson.	George Barker and William Tomlinson.
Western Side of Chancery Lane aforesaid.	A Dwelling House, with Brewhouse, Slaughterhouse, and other Outbuildings and Yard, now used as a Retail Beerhouse and Butcher's Shop.	Same - - -	- - -	Thomas Dawes, as yearly Tenant.
Northern Side of Market Lane, Eastern Side of Stafford Street, Longton aforesaid.	A Piece of Land containing about 1,200 superficial Yards, recently inclosed, and Shop and Fish-stalls erected thereon.	Same - - -	- - -	The Proprietors of the Market.
Eastern Side of Stafford Street.	A Building used as a Stable and Coach-house.	Same - - -	- - -	Charles Derrington.
Market Place - - -	A Dwelling House and Outbuildings and Yard used as a Mercer's and Draper's Shop.	Same - - -	- - -	Samuel Baker, yearly Tenant.
Market Place and Eastern Side of Stafford Street	A China Manufactory, comprising Sliphouses, Workshops, Hovels, Warehouses, and other necessary Buildings and Yard.	Same - - -	- - -	Sampson Bridgwood, yearly Tenant.
	Two Dwelling Houses, with their respective Appurtenances, one used as a Provision Shop, and the other as a private Dwelling.	Same - - -	- - -	Charles Derrington and John Hallum, yearly Tenants.

SCHEDULE (B.)

Schedule of Tolls or Stallage referred to and authorized to be taken in the Market by the foregoing Act.

	s.	d.
For every covered or uncovered Shed, Stall, Bulk, Block, Tressel, Standing Place, or Station used by any Person for exposing to Sale Flesh Meat, Cheese, Bacon, Pickled Pork, Fish, or any other live or dead Victuals, Fruit, Vegetables, China, Glass, Earthenware, or other Goods, Articles, Commodities, or Things whatsoever, according to the Size or Dimensions of the same; videlicet, for each superficial Square Foot thereof—		
If such Stall, Bulk, Block, Tressel, or Station be within or on the Ground or Basement Floor of the Market Hall, or the Butchery or Butter Market behind the same, or in any covered Building now or hereafter to be erected—		
If taken for a Year, the Sum of - - - - -	4	0
If by the Half Year, the Sum of - - - - -	2	0
If by the Quarter, the Sum of - - - - -	1	0
If otherwise taken, for each Market Day or other Day -	0	1
If such Stall, Bulk, Block, Tressel, or Station be on the Land in front of the Market Hall, or elsewhere than on the Ground Floor thereof, or in the Butchery or Butter Market behind the same, or in any covered Building—		
If taken for the Year, the Sum of - - - - -	3	0
By the Half Year, the Sum of - - - - -	1	6
By the Quarter, the Sum of - - - - -	0	9
If otherwise taken, for each Market Day or other Day the Sum of - - - - -	0	0 $\frac{3}{4}$
For every Waggon used by any Person for exposing or in which shall be exposed to Sale any Article, Commodity, or Thing, for each Market Day or other Day the Sum of - - - - -	1	6
For every Cart used by any Person for the like Purpose, for each Market Day or other Day—		
If drawn by One Horse or other Animal, provided the Article or Commodity contained in such Cart do not exceed One Ton Weight, the Sum of - - - - -	0	9
If drawn by Two or more Horses or other Animals, or if the Article or Commodity contained in such Cart exceeds One Ton Weight, the Sum of - - - - -	1	0
For each Compartment or Space on the Surface of the Ground used by any Person for the like Purpose, according to the Size or Dimensions or the same; videlicet, for each superficial Square Foot thereof—		
If taken for the Year, the Sum of - - - - -	2	0
By the Half Year, the Sum of - - - - -	1	0
By the Quarter, the Sum of - - - - -	0	6
If otherwise taken, for every Market Day or other Day in the Week the Sum of - - - - -	0	0 $\frac{1}{2}$
From any Person exposing for Sale any Article, Matter, or Thing not herein specifically charged, and not occupying any Stall, Bulk, Block, Tressel, or Station, nor any defined Compartment or Space on the Surface of the Ground; videlicet—		
For every Basket, Parcel, or Quantity of Butter not exceeding Twelve Pounds Weight, per Day - - - - -	0	1
For each additional Six Pounds Weight - - - - -	0	1
For every Basket, Parcel, or Quantity of Eggs under One Dozen	0	0 $\frac{1}{2}$
For each additional Dozen - - - - -	0	0 $\frac{1}{2}$

SCHEDULE (F.)

Schedule of Tolls to be taken for Weighing Machines.

For weighing any Waggon, the Sum of	-	-	-	-	-	s.	d.
For weighing any Cart, the Sum of	-	-	-	-	-	0	3

SCHEDULE (G.)

Mortgagees.

Name.	Amount.	Securities.
William Baker and Philip Barnes Broad, Esquires.	One thousand Pounds -	Mortgage of Potworks occupied by Sampson Bridgwood, and Two Dwelling Houses occupied by Samuel Baker and Thomas Dawes, and Part of Butchery and Butter Market.
John Harvey, Esquire -	One thousand Pounds -	Mortgage ditto.
Same -	One thousand seven hundred and fifty Pounds.	On Notes of the present Trustees for the Proprietors.
William Copestake -	Five hundred Pounds -	Ditto.

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