



ANNO VICESIMO OCTAVO & VICESIMO NONO

# VICTORIÆ REGINÆ.

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## *Cap. ccviii.*

An Act for amending the *Metropolitan Market Act, 1857*; and for other Purposes.

[5th July 1865.]

**W**HEREAS by "The *Metropolitan Market Act, 1851*" 14 & 15 Vict. c. 61. (Pub.)  
(hereafter in this Act called the Act of 1851,) after reciting that, for preventing the Evils attendant on the holding of the Market then holden in *Smithfield*, it was desirable that in lieu thereof a more spacious Market should be provided in a suitable Place more distant from the Centre of the Metropolis, Provision was made for the Establishment of such a Market accordingly: And whereas by the same Act it was enacted (among other things), that if within the Time therein specified the Mayor, Aldermen, and Commons of the City of *London* (hereafter in this Act called the Mayor, Aldermen, and Commons) should signify as therein provided their Desire to undertake the Execution of that Act, then they should exercise the Powers and perform the Duties by that Act prescribed: And whereas by the same Act it was provided and enacted (among other things) that the Mayor, Aldermen, and Commons might, if they thought fit, in such Signification of their Desire to undertake the Execution of that Act, declare their Intention to defray the Expenses to be incurred in such Execution out of their own Funds, and in that

[*Local.*]

33 P

Case

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c. cxxxv.

Case those Expenses should be defrayed accordingly, and the Tolls, Rents, and Payments to be received under that Act should be received by the Mayor, Aldermen, and Commons for their own Use, and should be applied as they might direct: And whereas the Mayor, Aldermen, and Commons, within the Time limited in the Act of 1851 for that Purpose, duly signified their Desire to undertake the Execution of the said Act, and declared their Intention to defray the Expenses to be incurred in such Execution out of their own Funds: And whereas under the Act of 1851 the Mayor, Aldermen, and Commons, at the Expense of the Mayor and Commonalty and Citizens of the City of *London*, purchased a Site for and erected and established a Cattle Market for the Metropolis in lieu of the Market formerly held at *Smithfield*, together with Slaughter-houses and Lairs for Cattle, and expended Four hundred and forty thousand Pounds on the said Purchase, and in the Formation of the Market and in the Erection of Lairs and Slaughter-houses, and of Taverns, Public Houses, and other Buildings and Conveniences connected with the Market, and borrowed the said Sum on the Credit of the Tolls, Dues, Rents, and Payments receivable under the said Act, and on the Estates and Revenues of the Mayor and Commonalty and Citizens: And whereas by the "*Metropolitan Market Act, 1857*," (hereafter in this Act called the Act of 1857,) after reciting (among other things) to the Effect herein-before stated, and reciting that it was expedient that the Act of 1851 should be amended, it was enacted (among other things), that from and after the Commencement of that Act the whole of the Act of 1851 should be repealed: And whereas by the Act of 1857 it was also enacted (Section 8.) that the Mayor, Aldermen, and Commons should maintain and uphold the Cattle Market established under the Authority of the Act of 1851, with the Slaughter-houses, Lairs for Cattle, and Pens, Stalls, Shops, Taverns, Public Houses, and other Buildings and Conveniences then already erected or built in connexion therewith or for the Purpose thereof: And whereas by the same Act (Section 12.) it was also enacted (among other things) that the Mayor, Aldermen, and Commons might from Time to Time demise and lease any House, Tavern, Public House, and Shop already erected and built for such Term as therein mentioned: And whereas before the passing of the Act of 1857 there had been erected by the Mayor, Aldermen, and Commons Two Taverns intended for the Use of Persons resorting to the Market, but the same have not nor has either of them at any Time been let, and it is expedient that the Mayor, Aldermen, and Commons be authorized to alter those Buildings or either of them, and to adapt them or either of them to the Purposes of Lodging Houses for the Working Classes or other Purposes, and to let the same for such Terms and on such Conditions as may be most advantageous: And whereas by the same Act (Section 12.) Power was  
given

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given to the Mayor, Aldermen, and Commons to demise and lease all or any of the several Slips or Pieces of Land described in Schedule (B.) to that Act, for the Terms and on the Conditions therein mentioned: And whereas certain Pieces of Land acquired by the Mayor, Aldermen, and Commons under the Act of 1851, for the Purposes of or in connexion with the Establishment of the Market, were omitted from the said Schedule, and it is expedient that the Leasing Power so conferred on the Mayor, Aldermen, and Commons be extended to the said omitted Pieces of Land: And whereas by the Act of 1857 it was also enacted (Section 25.), that the Mayor, Aldermen, and Commons, for the Purposes of defraying any Expenses incurred or to be incurred by them in the Execution of the Act of 1851 or of the Act of 1857, and payable out of the Tolls, Rents, and Payments receivable, by them under the last-mentioned Act, and with the Approbation of the Commissioners of Her Majesty's Treasury, might from Time to Time borrow at Interest any Sums of Money not exceeding in the whole the Sum of Four hundred thousand Pounds including the Money then already borrowed, and for the Purpose of securing Repayment of any Sums so borrowed, with Interest, the Mayor, Aldermen, and Commons might mortgage all or any of the Lands in the said Section referred to, and of the Tolls, Rents, and Payments aforesaid: And whereas Doubts are entertained on the Construction of the Acts of 1851 and 1857 with respect to the Power now vested in the Mayor, Aldermen, and Commons to borrow Money on the Security of the Lands, Tolls, Rents, and Payments held and received under the last-mentioned Act, and it is expedient that all Ground for such Doubts should be removed: And whereas the Objects of this Act cannot be attained 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, as follows:

1. This Act shall be construed as One Act with the Act of 1857, and may be cited as the *Metropolitan Market Act, 1865*; and the Act of 1857 and this Act may be cited together as "*The Metropolitan Market Acts, 1857 and 1865.*"

Short Titles  
of Acts.

2. Notwithstanding anything in the Act of 1857, the Mayor, Aldermen, and Commons may from Time to Time, as they think fit, alter, enlarge, improve, or take down and remove all or any of the Slaughter-houses and Lairs for Cattle, and Pens, Stalls, Shops, Taverns, Public Houses, and other Buildings and Conveniences for the Time being, erected and provided in connexion with the Cattle Market established under the Authority of the Act of 1851, or for the Purposes thereof; and with respect to any Shops, Taverns, and

Power to  
alter Build-  
ings.

Public

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Public Houses for the Time being so erected and provided, may alter all or any of the same, and adapt them or any of them when so altered for the Purposes of Lodging Houses for the Working Classes, or for such other Purposes (not being for the Purpose of a Hospital or Infirmary) as to the Mayor, Aldermen, and Commons from Time to Time seem most advantageous, and may let the same so altered and adapted for such Terms and on such Conditions as to the Mayor, Aldermen, and Commons from Time to Time seem most advantageous.

Power to  
lease Land  
in Schedule.

3. The Pieces of Land described in the Schedule to this Act shall be deemed to be added to the Pieces of Land described in Schedule B. to the Act of 1857, and that Act shall be read and have effect as if the Pieces of Land described in the Schedule to this Act had been described in Schedule B. to the Act of 1857.

No Building  
upon certain  
Land shown  
on Plan de-  
posited with  
the Clerk of  
the Peace  
for London.

4. No Building exceeding the Height of the Northern Boundary Wall of the Market shall be erected upon that Part of the Lands secondly described in the Schedule to this Act which is coloured Green on a Plan deposited with the Clerk of the Peace for the City of *London*, and signed by *William Corrie* and *John Edwin Bradfield*.

Application  
of Tolls, &c.

5. All Tolls, Rents, and Payments received under the Act of 1857, or this Act, by or on behalf of the Mayor, Aldermen, and Commons, shall be received by them for the Use of the Mayor and Commonalty and Citizens of the City of *London*, and shall be paid and applied as the Mayor, Aldermen, and Commons from Time to Time direct.

Sect. 25 of  
Act of 1857  
repealed.

6. Section 25 of the Act of 1857 is hereby repealed, but this Repeal shall not affect the past Operation of that Section, or any Bond, Mortgage, or Security already given, or anything already done, or any Right, Title, Obligation, or Liability already acquired or accrued thereunder.

Borrowing  
Power.

7. The Mayor, Aldermen, and Commons, for the Purpose of defraying any Expenses incurred or to be incurred by them in the Execution of the Acts of 1851 and 1857, or either of them, or under this Act, may from Time to Time borrow at Interest on the Credit of the Lands, Tolls, Rents, and Payments held by or accruing to the Mayor and Commonalty and Citizens under the said Acts, or either of them, and of the Estates and Revenues of the Mayor and Commonalty and Citizens, such Sums of Money as the Mayor, Aldermen, and Commons think requisite, but the total Amount borrowed under the

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the said Acts, or either of them and this Act, and remaining unpaid shall not at any One Time exceed the Sum of Four hundred thousand Pounds.

8. All Money borrowed under this Act may be secured by Bonds under the Common Seal of the Mayor and Commonalty and Citizens of the City of *London*, which Bonds shall be in such Form and shall contain such Stipulations and Conditions (if any) respecting the Payment of the Money thereby secured at a fixed Time or otherwise, or respecting any other Matter relative to the Security, as the Mayor, Aldermen, and Commons from Time to Time think expedient, and shall be assignable by Indorsement.

Form of  
Bonds.

9. The Mayor, Aldermen, and Commons may from Time to Time pay off any Money borrowed as aforesaid, and may in manner aforesaid reborrow the same or any other Amount, but the total Amount borrowed under this Act and remaining unpaid shall not at any One Time exceed the maximum Amount limited in that Behalf by this Act.

Power to  
reborrow..

10. Any Person paying any Sum of Money borrowed under this Act to the Mayor, Aldermen, and Commons, or to any Person appointed by them to receive the same, shall not be answerable for the Nonapplication or Misapplication thereof.

Protection  
of Lenders.

11. The Chamberlain for the Time being of the City of *London* shall enter in a Book to be kept for that Purpose a List of Bonds issued under this Act, and of Assignments thereof, expressing the Names, Surnames, Descriptions, and Places of Business or Residence of the Persons from Time to Time entitled to the several Bonds, which Book all Persons entitled to or interested in any such Bond may, at all reasonable Times, inspect without Payment.

Register of  
Bonds and  
Assign-  
ments.

12. The Expenses of and preliminary and incidental to the Preparation, obtaining, and passing of this Act shall be paid by the Mayor, Aldermen, and Commons out of any Money coming to them under the Act of 1857, or this Act.

Expenses of  
Act.

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**SCHEDULE** referred to in the foregoing Act.  

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A Piece of Land on the South Side of the Market Area, extending from Maiden Lane to the East Corner of the Market Area, in Width One hundred Feet, little more or less.

A Piece of Land on the North Side of the Market, adjoining the Two Pieces of Land first described in Schedule (B.) to the "Metropolitan Market Act, 1857," and containing Seven Acres and a Half, little more or less.

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