

# FURTHER BYE-LAWS FOR THE REGULATION OF SMITHFIELD MARKET,

AND OF ALL OTHER HAY, STRAW, AND CATTLE MARKETS WITHIN THE BOROUGH OF DUBLIN.

**W**HEREAS by an Act made and passed in the 12th and 13th years of the reign of Her present Majesty, intituled "An Act for the Improvement of the City of Dublin," it is in and by the 72nd sec. thereof recited, "That the Lord Mayor of the City of Dublin is, by Charter, Clerk of the Markets within the said City;" and it is thereby enacted, "That the Lord Mayor, for the time being, shall be the sole Clerk of the Markets of the Borough of Dublin, and shall have and enjoy all the privileges of such office, save so far as same are altered by, or inconsistent with the said Act."

And in and by the 73rd sec. of said Act it is recited, "That doubts have arisen respecting the powers vested in the said Lord Mayor, by right of his said office of Clerk of the Markets of the Borough of Dublin, and it is expedient to remove same;" and it is thereby enacted, "That it shall be lawful for the said Lord Mayor, for the time being, by virtue of such office, from time to time, to make such Bye-Laws as he shall think fit for all or any of the purposes in said Act specified."

And it is thereby also enacted, that the said Lord Mayor may, from time to time, as he shall think fit, repeal or alter any such Bye-Laws; and that said Lord Mayor is empowered by such Bye-Laws, to impose such reasonable penalties as he shall think fit, not exceeding £5 for each breach of such Bye-Laws.

And whereas on or about the 16th day of May, 1854, Sir Edward M'Donnell, Knight, then Lord Mayor of the City of Dublin, did in pursuance of the said powers, make certain Bye-Laws for the

regulation of Smithfield Market, and of all other hay, straw, and cattle markets within the Borough of Dublin.

And whereas since the making of the said last-mentioned Bye-Laws, the Right Honourable the Lord Mayor, Aldermen, and Burgesses of Dublin, have, pursuant to the said Act of Parliament, purchased up the rights and privileges of all persons heretofore claiming special rights and privileges or of Borough Weigh-master, and have also purchased all weigh-houses and weighing-machines in Smithfield Market or in the precincts thereof called New Church-street, and Hay Market, which were in possession or occupation of such persons.

And whereas it is expedient to alter and amend the said Bye-Laws, and to make certain additional Bye-Laws for the regulation of the said Market of Smithfield, and of all other hay, straw, and cattle markets within the Borough of Dublin,

Now I, the Right Honourable Joseph Boyce, Lord Mayor of the City of Dublin, in pursuance and exercise of the powers contained in the said statute, and of all other powers enabling me in that behalf, do order and ordain that of the said Bye-Laws of the 16th day of May, 1854, those numbered respectively 2, 3, 4, 5, and 6, shall be, and the same are hereby repealed and annulled. And I do hereby make, order, and ordain the following Bye-Laws in amendment of, and in addition to the said Bye-Laws of the 16th day of May, 1854, and in lieu of the said five repealed Bye-Laws, as Bye-Laws for the government, inspection, and regulation of Smithfield Market, and of all other hay, straw, and cattle markets within the said Borough; and do fix that the pecuniary penalties in each of the said Bye-Laws respectively named, shall be incurred by any person or persons breaking or violating such Bye-Laws, that is to say—

*Bye-Laws for the Regulation of Smithfield and of all other Hay, Straw, and Cattle Markets within the Borough of Dublin.*

*Interpretation.*—In the following Bye-Laws the following words and expressions shall have the several meanings hereby assigned to them, unless there be something in the subject or context repugnant to such construction :—

Words importing the singular number shall include the plural, and words importing the plural number shall include the singular.

The expression, “the Market,” shall apply to Smithfield Market, and the approaches thereto, and to all other hay, straw, and cattle markets, and the approaches thereto within the Borough of Dublin.

The word “Deputy” shall include every person acting or claiming to act as a weighmaster at any of the Corporation weigh-houses in the market, under an authority or deputation from the Lord Mayor, and the clerk or assistant of such deputy.

The word “Cart” shall include drays, waggons, and other vehicles.

*Proviso.*—The following proviso shall apply to all the penalties imposed by the following Bye-Laws, that is to say, that the said penalties shall be recovered and applied according to law, provided always, however, that the Justice or Justices before whom such penalties, or any of them, shall be brought to be recovered, shall have power to order the whole, or any part thereof, to be paid, or to remit the whole thereof.

1st. No person who shall not have been specially authorized and appointed by the Lord Mayor, for the time being, for that purpose, shall issue num-



over the head of the linch-pin; and from and after the time when, by the foregoing provisions of this Bye-Law, any cart is required to be so numbered and registered, no deputy or other person shall issue or be privy to the issuing of a weigh-note to the owner or driver of any such cart, or to any other person, until such cart shall have been so duly numbered and registered as aforesaid, and until the certificate thereof shall have been produced to such deputy or other person.

Any person omitting to comply with, or offending against, or committing any breach of this Bye-Law, shall, for every such omission, or offence, or breach, incur a penalty of £5, subject to the above proviso.

3rd. That every owner or driver of any cart, laden with hay or straw, brought for sale into the said market or precincts thereof, who shall be guilty of any fraud in the making up, sale, or weight of such hay or straw, or in the structure of such cart, shall, for every such offence, incur a penalty of £5, subject to the above proviso; and that the Lord Mayor for the time being, or his *locum tenens*, shall be empowered and authorized to seize, examine, inspect, and detain every load of hay or straw brought for sale into Smithfield Market, and then and there, by examination on oath of the persons in charge of the said hay, straw, or cart, or by inspection or otherwise, to try and determine if there has been any fraud in the making up, sale, or weight of such hay or straw, or in the structure of any cart containing hay or straw therein, and if the said Lord Mayor, or his *locum tenens*, shall find that any such fraud has been committed, it shall be lawful for him, by a warrant under his hand, to declare that the said penalty of £5, subject to the above proviso, has been incurred in respect of such hay, straw, or cart, and to order the detention of the said hay, straw, or cart in such place as he shall think fit, and until such reasonable time when the said penalty (as soon as conveniently may be) can be adjudicated upon and recovered before a Justice or Justices, pursuant to the said Act of Parliament. And if the Lord Mayor, or his *locum tenens*, shall find any hay or straw in the market to be damaged or unsound, then, whether any fraud shall have been intended or not, it shall be lawful for the said Lord Mayor or his *locum tenens* (if he shall so think fit), to cause such hay or straw to be entirely removed from said market, or to cause the same to be placed in such part thereof as may be selected, for the exposure and sale of damaged hay and straw.

4th. That the Lord Mayor or his deputies, sworn and appointed under his warrant, shall be exclusively empowered and authorized to weigh all hay and straw exposed for sale, and sold by weight in Smithfield Market, or in the said precincts thereof, and to demand and receive fees, not exceeding one halfpenny per hundred weight, for such weighing, and every person who shall offend against this Bye-Law shall incur a penalty of £5, subject to the above proviso, for each breach of this Bye-Law.

5th. Every deputy shall, immediately on weighing any cart laden with hay or straw, deliver to the owner or driver thereof, a weigh-note in either of the following forms, having first filled up the blanks in the first part thereof, and signed his name before the word "Deputy," in such first part. And such deputy shall make corresponding entries in the first part of the block of such weigh-note, and shall produce the said first part of said block, on being required so to do, to the Lord Mayor for the time being, or to his assistant or other person authorized in that behalf.

**Form of Weigh-note for Numbered Carts.**

(City Arms.)

**FIRST PART.**

Smithfield Market Corporation Weigh-house, No.

By sworn Deputy of the Right Hon. The Lord Mayor, day of 18 , No. .

I have this day weighed a load of upon cart, No. , and found the gross weight to be cwt. qrs. lbs.

*Note.*—The last registered weight of said cart appears to have been cwt. qrs. lbs., but the purchaser has the option to adopt that tare or have the cart re-weighed this day.

Deputy.

**SECOND PART.**

I have this day re-weighed the above cart, No. and found its weight to be cwt. qrs. lbs.

Deputy.

**Form of Weigh-note for Carts not Numbered.**

(City Arms.)

**FIRST PART.**

Smithfield Market Corporation Weigh-house, No.

By sworn Deputy of the Right Hon. The Lord Mayor, day of 18 , No. .

I have this day weighed a load of upon cart not numbered, for , and found the gross weight to be cwt. qrs. lbs. .

*Note.*—This cart should be sent back to be weighed this day.

Deputy.

**SECOND PART.**

I have this day weighed the above cart, and found its weight to be cwt. qrs. lbs.

Deputy.

And on the return of any such empty cart, and production by the owner or driver thereof, of the weigh-note so issued on the same day, the deputy who shall have so issued the same, shall immediately weigh such empty cart, and shall fill up the second part of such weigh-note, and sign his name to the same before the word "deputy" in such second part. And every owner or driver of any cart laden with hay or straw, which shall be sold in the said market, shall, on being required so to do by the purchaser, have the empty cart re-weighed as aforesaid, and the second part of the weigh-note filled up in manner aforesaid by the said deputy. And the said deputy shall make a corresponding entry in the block of the second part of such weigh-note. And said deputy and his clerks and assistants shall produce the blocks of all weigh-notes issued by them or in their possession, on being required so to do, to the Lord Mayor for the time being, or to his deputy or assistant, or to any other person duly authorized in that behalf. And no deputy or other person shall issue such weigh-notes or either part thereof filled up, to any person, until an entry of the particulars therein contained shall be made in the block thereof, as hereinbefore directed. Any person omitting to comply with, or offending against, or committing any breach of the foregoing Bye-Laws, shall for each and every such omission, offence, or breach, incur a penalty of £5, subject to the above proviso.

6th. No deputy of the Lord Mayor, or other person authorized by him in the said market, or in the said precincts thereof, shall issue any weigh-note in any form other than those prescribed in Bye-Law, No. under a penalty of £5 for every

such breach of this Bye-Law, subject to the above proviso. And that no person within said Borough, other than such deputy or authorized person, shall use or issue similar forms, or any imitation thereof, under the like penalty, subject to the above proviso.

Given under my Hand and Seal, this 28th day  
of May, 1855,

JOSEPH BOYCE,  
Lord Mayor of the Borough of Dublin.