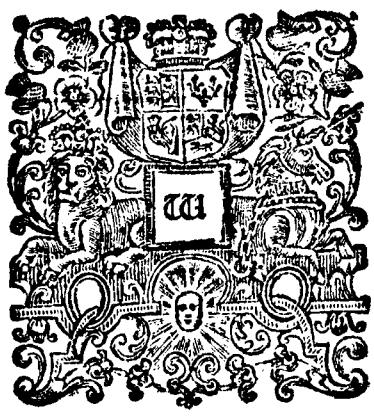
Anno tricesimo secundo

Georgii II. Regis.

An Act to amend an Act made in the last Session of Parliament, for repealing the Duty granted by an Act made in the Sixth Year of the Reign of His late Majesty on Silver Plate, and for granting a Duty on Licences to be taken out by all Persons dealing in Gold or Silver Plate, by permitting the Sale of Gold or Silver Plate in small Quantities without Licence; and by granting a Duty instead of the Duty now payable upon Licences to be taken out by certain Dealers in Gold or Silver Plate; and also a Duty upon Licences to be taken out by Pawnbrokers dealing in Gold or Silver Plate, and Refiners of Gold or Silver.

Preamble, reciting Clause in Act 31 *Geo.* II.



WHEREAS by an Act made in the last Session of Parliament, intituled, An Act for repealing the Duty granted by an Act made in the Sixth Year of the Reign of His late Majesty, on Silver Plate, made, wrought, touched, assayed, or marked, in *Great Britain*; and for granting a Duty on Licences, to be taken out by all Persons dealing in Gold or Silver Plate; and for discontinuing all Drawbacks upon Silver Plate exported; and for more effectually preventing Frauds and Abuses in the Marking or Stamping of Gold or Silver Plate; it was enacted, That in lieu of the Duty thereby repealed, there should, from and after the Fifth Day of July, One thousand seven hundred and fifty eight, be paid unto His Majesty, His Heirs, and Successors, a Duty of Forty Shillings for every Licence to be taken out in Manner therein after-mentioned, by each Person trading in, selling, or vending Gold or Silver Plate, and by the said Act such Licences were directed to be taken out annually; and it was also thereby further enacted, That all Persons using the Trade of selling or vending Gold or Silver Plate, or any Goods or Wares composed of Gold or Silver, or any Goods or Wares in which any Gold or Silver was or should be manufactured, and also all Persons employed to sell any Gold or Silver Plate, or any such Goods or Wares aforesaid, at any Auction, or Publick Sale, or by Commission, should respectively be deemed Traders in, Sellers or Venders of, Gold or Silver Plate, within the Intent and Meaning of the said Act, and should take out a Licence for the same: And whereas so much of the said last recited Clause, as directs that every Person trading in, selling, or vending Gold or Silver Plate, or any Goods or Wares composed of Gold or Silver, or any Goods or Wares in which any Gold or Silver was or should be manufactured, should take out a Licence for that Purpose, has been found detrimental to the Toy and Cutlery Trades of this Kingdom: And your Majesty's most dutiful and loyal Subjects,

the Commons of Great Britain in Parliament assembled, are therefore desirous that all Persons may be permitted to trade in, sell, or vend any Goods or Wares in which the Gold or Silver shall not exceed the respective Quantities herein after mentioned, without being obliged to take out a Licence for that Purpose, and in lieu thereof, to grant unto Your Majesty a Duty upon such Licences as are herein after mentioned; and therefore do most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King'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, That from and after the Fifth Day of July, One thousand seven hundred and fifty nine, no Person or Persons whatsoever shall be subject or liable to take out any Licence for or in respect of his, her, or their trading in, vending, or selling, any Quantity of Gold not exceeding Two Penny Weights in any One separate and distinct Ware or Piece of Goods, or any Quantity of Silver not exceeding Five Penny Weights in any One separate and distinct Ware or Piece of Goods; but that all Persons may, from time to time, after the said Fifth Day of July, One thousand seven hundred and fifty nine, trade in, vend, or sell, any Ware or Piece of Goods, in which the Gold or Silver shall not exceed the respective Quantities aforesaid, without being subject in respect thereof to any Penalty for not having taken out a Licence, or paid the Duty granted by the said Act made in the last Session of Parliament; any thing in the said Act contained to the contrary notwithstanding.

Traders in, or Venders of, small Gold and Silver Wares, exempted from taking out a Licence for the same;

And, in order to made good any Deficiency which may happen in the Produce of the said Duty, by reason of the Exemption aforesaid; be it further enacted by the Authority aforesaid, That there shall, from and after the said Fifth Day of July, One thousand seven hundred and fifty nine, be paid unto His Majesty, His Heirs, and Successors, a Duty of Five Pounds for every Licence to be taken out by each Trader in, Vender or Seller of, Gold or Silver Plate, or of any Goods or Wares in which any Gold or Silver is or shall be manufactured, who shall trade in, vend, or sell, any Piece of Plate, or Goods, or any Ware in which

but such as shall trade in, or vend larger Quantities, as also Pawnbrokers, and Refiners, to take out a Licence, for which they are to pay 5 *l.*

the Gold or Silver shall be of the respective Weights herein after mentioned, or of any greater Weight, and by all Pawnbrokers trading in, vending, or selling, Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured, and all Refiners of Gold or Silver.

What Quantity of Gold or Silver Wares shall subject the Traders in, or Venders thereof, to take out a Licence.

And be it further enacted by the Authority aforesaid, That from and after the said Fifth Day of July, One thousand seven hundred and fifty nine, no Person or Persons whatsoever, who now, or at any Time or Times hereafter, doth, do, or shall trade in, vend or sell, any Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured, shall presume by him, her, or themselves, or by any other Person or Persons whatsoever employed by him, her, or them, for his, her, or their Benefit, either publickly or privately, to trade in, vend or sell, any Piece of Plate or Goods, or any Ware in which the Quantity of Gold shall be of the Weight of Two Ounces or upwards, or in which the Quantity of Silver shall be of the Weight of Thirty Ounces or upwards, unless he, she, or they, shall have first paid a Duty of Five Pounds for a Licence, which shall have been taken out in the Manner required by the said Act made in the last Session of Parliament; and every Person who shall so trade in, vend or sell, any such Piece of Plate or Goods, or Ware as aforesaid, shall pay the like Duty of Five Pounds for every Licence which shall be taken out in each Year, in pursuance of the said Act, instead and in lieu of the Duty of Forty Shillings thereby granted; any thing in the said Act contained to the contrary notwithstanding: And if any Person or Persons trading in, vending, or selling Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured, shall, after the said Fifth Day of July, One thousand seven hundred and fifty nine, presume or offer to trade in, vend, or sell, any such Piece of Plate or Goods, or any such Ware as aforesaid, without first taking out a Licence, for which the said Duty of Five Pounds shall have been paid, and renewing the same Licence, and making the like Payment yearly as aforesaid, he, she, or they, shall respectively forfeit and lose, for every such Offence, the Sum of Twenty Pounds.

20 *l.* Penalty for not taking out such Licence,

and renewing the same yearly.

And be it further enacted by the Authority aforesaid, That from and after the said Fifth Day of July, One thousand

thousand seven hundred and fifty nine, no Pawnbroker or Pawnbrokers shall presume, by him, her, or themselves, or by any other Person or Persons whatsoever employed by him, her, or them, for his, her, or their Benefit, either publickly or privately, to trade in, vend or sell, any Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured; nor shall any Person or Persons presume, either by him, her, or themselves, or by any other Person or Persons whatsoever employed by him, her, or them, for his, her, or their Benefit, to use or practise the Trade or Business of a Refiner of Gold or Silver, without first taking out a Licence, in such Manner as Persons using the Trade of selling or vending Gold or Silver Plate are, by the said Act made in the last Session of Parliament, required to take out Licences; and every such Pawnbroker, and also every such Refiner of Gold or Silver, shall take out a fresh Licence in every Year, in such Manner as Persons using the Trade of selling or vending Gold or Silver Plate, are by the said Act required to do: And for the more effectual enforcing the taking out of the said Licences, and Recovery of the Duty herein after directed to be from time to time paid upon the taking out thereof, every such Pawnbroker and Refiner of Gold or Silver respectively shall be deemed, for the Purposes of this Act, to use the Trade of selling or vending Gold or Silver Plate; any thing in the said former Act contained to the contrary notwithstanding: And every such Pawnbroker as aforesaid, and also every such Refiner of Gold or Silver, shall respectively pay a Duty of Five Pounds for every Licence which shall be taken out by each such Pawnbroker or Refiner; and which said Duty of Five Pounds shall be paid in each Year at the Times when such Licences are taken out, and to such Person or Persons, and in such Manner, as the Duty of Forty Shillings granted by the said Act is thereby directed to be paid: And if, after the said Fifth Day of July, One thousand seven hundred and fifty nine, any Pawnbroker shall presume or offer to trade in, vend or sell, any Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured; or if any Person shall presume or offer to use or practise the Trade or Business of a Refiner of Gold or Silver, and such

Pawnbrokers, and Refiners, deemed Traders in, and Venders of, Gold and Silver Wares,

and liable to take a Licence,

and renew the same yearly;

for which 5 *l.* is to be paid;

Pawnbroker

Pawnbroker or Person respectively shall not have first taken out a Licence, for which the said Duty of Five Pounds shall have been paid, or shall not have renewed the same Licence, and made such Payment yearly as aforesaid; every such Pawnbroker and Person shall respectively, for every such Offence, forfeit and lose the Sum of Twenty Pounds.

on Penalty of forfeiting 20 *l.*

Licences taken out under the former Act, upon Payment of the additional Sum of 3 *l.* to be good for the subsisting Term thereof.

Provided always, and be it further enacted by the Authority aforesaid, That if, at any Time or Times, any Person or Persons who shall have taken out a Licence in the Manner prescribed by the said former Act, and have paid, in respect thereof, the said Duty of Forty Shillings, shall, before the Expiration of such Licence, produce the same, and pay the further Sum of Three Pounds to any Person or Persons authorized by virtue of the said former Act to grant Licences (all which Persons are hereby required to accept such Payment, and to indorse a Memorandum thereof, without Fee or Reward, upon the Licence so produced) every Person paying such additional Sum of Three Pounds may, and is hereby impowered, from the Time of the Payment thereof, and during the Continuance of the Remainder of the Term of the said Licence, to trade in, vend, or sell, any Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured; or to use or practise the Trade or Business of a Refiner of Gold or Silver, in such Manner as any other Person who shall have paid the Duty of Five Pounds upon the original granting of any Licence is by this Act impowered to do; any thing herein before contained to the contrary notwithstanding.

Persons in Partnership, carrying on Trade or Business in One House only, &c. not liable to take out more than One Licence.

Licence to serve but for One Shop or House,

Provided always, That Persons in Partnership, and carrying on their Trade or Business in One House, Shop, or Tenement only, shall not be obliged to take out more than One Licence in any One Year for the carrying on such Trade or Business: And that no Licence which shall be granted by virtue of this Act, shall authorize or impower any Person or Persons to whom the same may be granted, and who shall sell Gold or Silver Plate in Shops, to trade in, sell, or vend, such Gold or Silver Plate in any other Shop or Place, except in such Houses or Places thereunto belonging wherein he, she, or they shall inhabit and dwell at the Time of

of granting such Licence, or in Booths or Stalls at Fairs or Markets. Booths and Stalls at Fairs or Markets excepted.

And be it further enacted by the Authority aforesaid, That all Prosecutions for Recovery of Penalties and Forfeitures incurred for Offences committed against this Act, shall and may be heard and determined, and such Penalties and Forfeitures recovered, levied, and applied, and in case of want of sufficient Distress whereon to levy the same, the Offender shall be imprisoned, in such and the same Manner, and with the same Powers and Authorities, as are prescribed, given, and appointed, in the said Act made in the last Session of Parliament with respect to Prosecutions for, and the recovering, levying, and applying of, the Penalties and Forfeitures incurred for Offences committed against the said Act, and to the Imprisonment of the Party or Parties offending until Satisfaction shall be made. Penalties and Forfeitures to be recovered and applied, as by the Act of 31 *Geo.* II. is prescribed.

Provided always, and it is hereby enacted, That the several Penalties and Forfeitures of Twenty Pounds, created and inflicted by the said recited Act, and this present Act, may be mitigated by such Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture, may be mitigated by any Law or Laws of Excise; any thing in the said recited Act, or this present Act, to the contrary in any wise notwithstanding. Mitigation of Penalties.

And be it further enacted by the Authority aforesaid, That all the Monies which shall arise by the Duty hereby directed to be paid upon Licences (the necessary Charges of raising and accounting for the same excepted) shall, from time to time, be paid into the Receipt of his Majesty's Exchequer at Westminster, together with the Monies arising by the Duty on Licences granted by the said Act made in the last Session of Parliament; and shall be applied to such Uses and Purposes, and in such Manner, as the Monies arising by the Duty granted by the said Act are thereby made applicable, and to and for no other Use or Purpose whatsoever. Duties to be paid into the Exchequer; and to be applied as the Duties under the former Act are directed.

And be it further enacted by the Authority aforesaid, That the said Act made in the last Session of Parliament (except such Parts thereof as are varied or altered by this Act) shall continue in full Force and Effect, and the Provisions and Powers therein contained (except as aforesaid) shall extend, and are hereby extended The recited Act, except where altered by this Act, continued and enforced.

to, and shall operate and be executed, with respect to this Act, and to all Matters and Things to be done in pursuance thereof, in as full and ample Manner, to all Intents and Purposes, as if the said Provisions and Powers were, with such Variations and Alterations, herein specially repeated and re-enacted; any thing in this Act contained to the contrary notwithstanding.

FINIS.