ANNO TRICESIMO SEXTO

Georgii III. Regis.

CAP. XVII.

An Act for repealing the Duties on Licences to Perſons uſing or exerciſing the Buſineſs of an Horſe Dealer, and granting new Duties in lieu thereof.

[24th *December* 1795.]

Moſt Gracious Sovereign,

WHEREAS it is expedient to repeal the Duties impoſed, by an Act of the Twenty-fourth Year of the Reign of His preſent Majeſty, on Perſons uſing and exerciſing the Trade and Buſineſs of an Horſe Dealer, and who ſhall take out a Licence to uſe and exerciſe the Trade and Buſineſs of an Horſe Dealer, and to grant new Duties in lieu thereof; we, Your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, as well for the Purpoſe aforeſaid as towards raiſing the neceſſary Supplies to defray Your Majeſty's publick Expences, and making ſuch permanent Addition to the Publick Revenue as ſhall be adequate to the increaſed Charge occaſioned by any Loan to be raiſed by virtue of any Act or Acts for that Purpoſe, in this Seſſion of Parliament, have freely and voluntarily reſolved to give and grant unto Your Majeſty the Duties herein-after mentioned; and 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 the ſeveral Duties on Perſons uſing and exerciſing the Trade and Buſineſs of an Horſe

Preamble.

Preſent Duties on Licences to Horſe Dealers to ceaſe.

Horſe Dealer, and who ſhall take out a Licence to uſe and exerciſe the Trade and Buſineſs of an Horſe Dealer, impoſed by an Act of the Twenty-fourth Year of the Reign of His preſent Majeſty, ſhall, from and after the paſſing of this Act, ceaſe and determine, ſave and except in all Caſes relating to the recovering of any Arrears, which may remain unpaid, of the ſaid Duties on Licences hereby repealed, and to the accounting for the ſame; and ſave and except all Licences granted and in force at and immediately before the paſſing of this Act; and that, from and after the paſſing of this Act, all the Powers and Authorities given and granted, and the Rules and Regulations eſtabliſhed and preſcribed by the ſaid Act, in relation to the managing, ſecuring, aſcertaining, collecting, recovering, levying, and paying, the ſaid Duties on Licences, and all Penalties and Forfeitures in reſpect thereof, ſhall ceaſe and determine, ſave and except any Penalty or Forfeiture which ſhall have been incurred upon, or at any Time before, the paſſing of this Act.

Horſe Dealers in *London*, &c. to pay an annual Licence Duty of 20 *l.*; and without *London*, &c. 10 *l.*

II. And be it further enacted, That every Perſon uſing and exerciſing the Trade or Buſineſs of an Horſe Dealer within the City of *London*, or the City or Liberties of *Weſtminſter*, the Weekly Bills of Mortality, the Pariſhes of Saint *Mary-le-bone* or Saint *Pancras* in the County of *Middleſex*, or the Borough of *Southwark* in the County of *Surrey*, and who ſhall take out a Licence to uſe and exerciſe the ſaid Trade and Buſineſs of an Horſe Dealer, ſhall yield and pay annually, to and for the Uſe of His Majeſty, His Heirs and Succeſſors, the Sum of Twenty Pounds; and that every Perſon uſing and exerciſing the ſaid Trade or Buſineſs of an Horſe Dealer without the City of *London*, the City and Liberties of *Weſtminſter*, the Weekly Bills of Mortality, the Pariſhes of Saint *Mary-le-bone* and Saint *Pancras* in the County of *Middleſex*, and the Borough of *Southwark* in the County of *Surrey*, and who ſhall take out a Licence to uſe and exerciſe the ſaid Trade and Buſineſs of an Horſe Dealer, ſhall yield and pay annually to and for the Uſe of His Majeſty, His Heirs and Succeſſors, the Sum of Ten Pounds.

Duties to be under the Management of the Commiſſioners for Stamps.

III. And, for the better and more effectually raiſing, levying, collecting, and paying, the ſaid Duties hereby granted on Licences, be it enacted, That the ſame ſhall be under the Government, Care, and Management, of the Commiſſioners for the Time being appointed to manage the Duties charged on ſtamped Vellum, Parchment, and Paper, who, or the major Part of them, are hereby required and empowered to employ ſuch Officers under them for that Purpoſe, and to allow ſuch Salaries and incidental Charges as ſhall be neceſſary, and to provide and uſe ſuch Marks or Stamps as they ſhall think fit, to denote the Duties, and to repair, renew, and alter the ſame, from Time to Time, as they ſhall ſee Occaſion, and to do all other Matters and Things neceſſary to be done for putting this Act in Execution, with relation to the ſaid Duties hereby granted, in the like and in as full and ample a Manner as they, or the major Part of them, are authoriſed to put in Execution any of the Laws now in being concerning ſtamped Vellum, Parchment, and Paper.

Two Commiſſioners may grant Licences, &c.

IV. And be it further enacted, That, from and after the paſſing of this Act, any Two or more of His Majeſty's Commiſſioners appointed to manage the Duties charged on ſtamped Vellum, Parchment, or Paper,

Paper, or ſome Perſon duly authoriſed by them, or any Three or more of them, ſhall grant Licences to ſuch Perſons who ſhall uſe and exerciſe the Trade and Buſineſs of an Horſe Dealer, in any City, Town, or other Place, within *Great Britain*, to uſe and exerciſe the ſame within ſuch City, Town, or Place, for any Space of Time as herein-after mentioned, not exceeding One Year; and every ſuch Licence ſhall ceaſe and determine on the Twenty-ninth Day of *September* in the Year for which the ſame ſhall be iſſued; and every ſuch Licence taken out for the Year in which the ſame ſhall be iſſued ſhall be in Force until and upon the Twenty-ninth Day of *September* then next following, and ſhall commence from the Date thereof; and every ſuch Licence taken out for any Year ſubſequent to the Year in which the ſame ſhall be iſſued, ſhall commence from the Twenty-ninth Day of *September* then next enſuing, and continue in Force until and upon the Twenty-ninth Day of *September* in the ſucceeding Year; and that every ſuch Perſon ſhall take out a freſh Licence for another Year, Ten Days at leaſt before the Expiration of that Year for which he ſhall have been licenſed, if he ſhall continue to uſe and exerciſe the ſaid Trade and Buſineſs of an Horſe Dealer; and ſhall in like Manner renew ſuch Licence from Year to Year, paying down the reſpective Sums due on ſuch Licence, as long as he ſhall continue to uſe and exerciſe the ſaid Trade and Buſineſs of an Horſe Dealer.

Period of Licences.

Licences to be renewed 10 Days before Expiration.

V. And be it further enacted, That Perſons carrying on their Trade and Buſineſs of an Horſe Dealer in Partnerſhip, ſhall not be obliged to take out more than One Licence, in any One Year, for carrying on ſuch Trade or Buſineſs; and that no One Licence, which ſhall be granted by virtue of this Act, ſhall authorize or empower any Perſon or Perſons to whom the ſame ſhall be granted, to keep any Horſe or Horſes for Sale in any other City, Town, or Place, than the City, Town, or Place, which ſhall be mentioned in ſuch Licence.

One Licence ſufficient for Partners.

Licence to be confined to the Place mentioned therein.

VI. And be it further enacted, That every Perſon exerciſing the Trade and Buſineſs of an Horſe Dealer, and who ſhall have taken out a Licence for that Purpoſe, ſhall cauſe the Words *Licenſed to deal in Horſes*, to be painted or written in large and legible Characters, either on a Sign hung out, or on ſome viſible Place in the Front of his or their Houſe, Gateway, or Stables, at the reſpective Places at which he or they keep ſuch Horſes for Sale, to denote that ſuch Perſon is a Dealer in Horſes, and licenſed for that Purpoſe; and if any Perſon, ſo licenſed as aforeſaid, ſhall preſume to ſell any Horſe, without fixing or hanging out ſuch Token as aforeſaid, every licenſed Horſe Dealer ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of Ten Pounds, to be recovered by Action of Debt or Information, in His Majeſty's Court of Exchequer at *Weſtminſter* for Offences committed in *England*, and for Offences committed in *Scotland*, in the Court of Exchequer at *Edinburgh*; to be paid, One Moiety to His Majeſty, His Heirs or Succeſſors, and the other Moiety to the Perſon or Perſons who ſhall inform or ſue for the ſame.

The Words *Licenſed*, &c. to be put on Places licenſed for Sale of Horſes, on Penalty of 10*l.*

VII. And be it further enacted, That every Perſon uſing or exerciſing the Trade or Buſineſs of an Horſe Dealer, (not having a Licence to uſe or exerciſe the ſaid Trade and Buſineſs under the Act of the Twenty-fourth

Perſons dealing in Horſes after *Jan.* 1, 1796, not having a Licence now in

force, without a Licence agreeable to this Act, liable to the Duties on Riding or Carriage Horſes.

fourth Year of His preſent Majeſty's Reign, and in force), who ſhall, after the Firſt Day of *January* One thouſand ſeven hundred and ninety-ſix, carry on the ſaid Trade and Buſineſs of an Horſe Dealer, without having obtained a Licence for that Purpoſe under the Directions of this Act, ſhall be liable to be aſſeſſed to all and every the Duties impoſed by the Acts of the Twenty-fourth and Twenty-ninth Years of His preſent Majeſty's Reign, and by any Act or Acts to be paſſed in this Seſſion of Parliament, on Horſes uſed for the Purpoſe of Riding, or for the Purpoſe of drawing any Carriage, in the ſaid Acts or any of them mentioned, for the greateſt Number of Horſes, Mares, and Geldings, kept by ſuch Dealer in Horſes at any one Time within the Year, for which a Liſt is directed by the ſaid ſeveral Acts, or this Act, to be delivered, in ſuch Manner and under ſuch Rules and Regulations as the ſaid laſt-mentioned Duties are therein, or by any other Act or Acts of Parliament, directed to be aſſeſſed; and that all Penalties and Forfeitures for not delivering Liſts of ſuch Horſes, and all Powers of correcting and amending ſuch Liſts, and of ſurcharging the ſame, ſhall extend and be applied to all ſuch Dealers in Horſes, not being licenſed as aforeſaid, as amply and fully as to any other Perſon or Perſons whatever.

Powers of 29 *Geo.* III, Cap. 49, in relation to Licences to deal in Horſes, to extend to this Act.

VIII. And be it further enacted, That all the ſeveral Powers, Rules, Directions, and Proviſions, contained in the Act of the Twenty-ninth Year of His preſent Majeſty's Reign, in relation to Licences granted to Perſons uſing and exerciſing the Trade and Buſineſs of an Horſe Dealer, ſhall continue and be in full Force in relation to Licences to be granted to Perſons uſing and exerciſing the ſaid Trade and Buſineſs under or by virtue of this Act, as fully and effectually as if the ſame had been particularly repeated and re-enacted in this Act.

Duties to be paid to the Receiver General of Stamps, and by him into the Exchequer.

IX. And be it further enacted by the Authority aforeſaid, That all the Monies ariſing from the ſaid Duties herein-before granted on Licences, and all Arrears of the Rates and Duties hereby repealed, ſhall, from and after the paſſing of this Act, be paid from Time to Time into the Hands of the Receiver General for the Time being of the Duties on ſtamped Vellum, Parchment, and Paper, who ſhall pay the ſame (the neceſſary Charges of raiſing and accounting for the ſame being deducted) into His Majeſty's Receipt of Exchequer at *Weſtminſter*, at ſuch Time and in ſuch Manner as the other Duties on ſtamped Vellum, Parchment, and Paper, are directed to be paid, and the ſame ſhall be carried to and made Part of the Conſolidated Fund; and that, from and after the paſſing of this Act, out of the Monies that ſhall be paid into the ſaid Receipt of the ſaid Duties on Licences hereby impoſed, and Arrears of Duties hereby repealed, One Moiety of the Duties hereby repealed ſhall quarterly, on the Fifth Day of *January*, the Fifth Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October*, in every Year, during the Period of Ten Years, be ſet apart from the other Moiety of the ſaid Monies; and that, after ſetting apart at the End of each ſuch Quarter, One Moiety of the ſaid Monies ariſing or to ariſe of the ſaid Duties by this Act impoſed, the other Moiety, or ſo much thereof as ſhall be ſufficient, ſhall be deemed an Addition made to the Revenue for the Purpoſe of defraying the increaſed Charge occaſioned by any Loan made by virtue of any Act or Acts to be paſſed in this Seſſion of Parliament; and that the ſaid laſt-mentioned Moiety of the ſaid Monies ſhall, during the Space of Ten

Moiety of Duties to be ſet apart for 10 Years, and the other Moiety to be applied in defraying any increaſed Charge occaſioned by any Loan of this Seſſion, &c.

Years next enſuing, be paid into the ſaid Receipt diſtinctly and apart from all other Branches of the Publick Revenue; and that there ſhall be provided and kept, at the Office of the Auditor of the ſaid Receipt, during the ſaid Period of Ten Years, a Book or Books, in which the ſaid laſt-mentioned Moiety of the Monies ariſing from the ſaid Duties, and paid into the ſaid Receipt, ſhall, together with the Monies ariſing from any other Rates or Duties granted in this Seſſion of Parliament for the Purpoſe of defraying ſuch increaſed Charge as aforeſaid, be entered ſeparate and apart from all other Monies paid or payable to His Majeſty, His Heirs or Succeſſors, on any Account whatever.

Limitation of Actions.

X. And be it further enacted, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action or Suit ſhall be commenced within Six Months next after the Fact committed, and not afterwards, and ſhall be laid in the County or Place where the Cauſe of Complaint did ariſe, and not elſewhere; and the Defendant or Defendants, in every ſuch Action or Suit, may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if the Jury ſhall find for the Defendant or Defendants in any ſuch Action or Suit, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if, upon Demurrer, Judgement ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Treble Coſts, and have the like Remedy for the ſame as any Defendant hath in other Caſes to recover Coſts by Law.

General Iſſue.

Treble Coſts.

FINIS.