Anno ſeptimo

Georgii III. Regis.

CAP. XLIV.

An Act for altering the Stamp Duties upon Policies of Aſſurance; and for reducing the Allowance to be made in reſpect of the Prompt Payment of the Stamp Duties on Licences for retailing Beer, Ale, and other Exciſeable Liquors; and for explaining and amending ſeveral Acts of Parliament relating to Hackney Coaches and Chairs.

Preamble, reciting Clauſes in Act 5 *Geo.* III.

WHEREAS by an Act of Parliament made in the Fifth Year of the Reign of his preſent Majeſty, intituled, An Act for altering the Stamp Duties upon Admiſſions into Corporations or Companies, and for further ſecuring and improving the Stamp Duties in *Great Britain*; it is, among other Things, enacted, That from and after the Fifth Day of July, One thouſand ſeven hundred and ſixty five, if the Properties of more than One Perſon, in any Ship, Cargo, or both, or of more than a particular Number of Perſons in general Partnerſhip, or of more than One Body Politic or Corporate, to a greater Amount in the Whole than the Sum of One hundred Pounds, in any Ship, Cargo, or both, be aſſured on the ſame Policy, ſuch Policy ſhould be void, and

the Premium paid thereon remain the Property of the Aſſurer; with a Proviſo, that it ſhould and might be lawful to aſſure, or cauſe to be aſſured, the Properties of any Number of Perſons whatſoever, in any Ship, Cargo, or both, by One Policy ſtamped with Five Shillings each; any thing therein contained to the contrary notwithſtanding: And whereas ſuch Part of the ſaid Act as is before recited, has been found very inconvenient to Merchants, Traders, and others, reſiding out of this Kingdom, and injurious to the commercial Dealings thereof; May it therefore pleaſe 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 Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty ſeven, it ſhall and may be lawful to aſſure, or cauſe to be aſſured, the Properties of any Number of Perſons whatſoever, in any Ship, Cargo, or both, to the Amount of any Sum, not exceeding in the Whole the Sum of One thouſand Pounds, by a Policy ſtamped with a Stamp of Five Shillings; and that it ſhall and may be lawful to aſſure, or cauſe to be aſſured, the Properties of any Number of Perſons whatſoever, in any Ship, Cargo, or both, to the Amount of any Sum whatſoever, by One Policy ſtamped with Two Stamps of Five Shillings each; and that every Policy ſo ſtamped ſhall be good, valid, and effectual to all Intents and Purpoſes whatſoever; any thing in the ſaid Act made in the Fifth Year of His preſent Majeſty's Reign, or any former Act to the contrary notwithſtanding.

Policies for any Number of Perſons, and to any Amount, not exceeding 1000*l.* on Ships, or Cargo, or both, may be aſſured by a 5*s.* Stamp; and to any higher Amount, by a 10*s.* Stamp.

Provided always, That if any Riſque or Adventure, diſtinct from the Riſque or Adventure mentioned in the original Policy, and upon which any further Premium ſhall be given, ſhall be by any Writing or Declaration not duly ſtamped, added to any ſuch original Policy, ſuch additional Aſſurance ſhall be void, and the Premium paid thereon ſhall remain the Property of the Aſſurer.

Any additional Aſſurance to the original Policy, not being duly ſtampt, is void, and the Premium goes to the Inſurer.

And be it further enacted by the Authority aforeſaid, That for the better and more effectual raiſing, levying, collecting, and paying, the ſaid Duties herein before mentioned, the ſame ſhall be under the Government, Care, and Management, of the Commiſſioners, for the time being, appointed to manage the Duties payable to His Majeſty, His Heirs, and Succeſſors, and charged on ſtamped Vellum, Parchment, and Paper, by former Acts of Parliament in that Behalf made; who, or the major Part of them, are hereby impowered to employ ſuch Officers under them, for that Purpoſe, as they ſhall think proper; and to provide and uſe ſuch Dies and Stamps, to denote the ſaid Duties herein before mentioned, as they ſhall think fit; and to repair, renew, or alter the ſame, from time to time, as there ſhall be Occaſion; and to do all other Acts, Matters, and Things, neceſſary to be done for

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

for putting this Act in Execution, with relation to the ſaid Duties, in the like, and in as full and ample Manner, as they, or the major Part of them, are authorized to put in Execution any former Law concerning ſtamped Vellum, Parchment, or Paper.

Powers, &c. granted by former Acts, relating to the Duties on Policies of Aſſurance, extended to the Duties hereby granted.

And be it further enacted by the Authority aforeſaid, That all Powers, Regulations, Proviſions, Articles, Clauſes, Penalties, Forfeitures, Diſtribution of Penalties and Forfeitures, and all other Matters and Things preſcribed, inflicted, and appointed, by any former Act or Acts of Parliament, relating to the Duties on Vellum, Parchment, and Paper, on which any Policy of Aſſurance ſhall be ingroſſed, written, or printed, and not herein altered, ſhall be in full Force and Effect with relation to the Duties herein before mentioned; and ſhall be applied and put in Execution for the managing, raiſing, levying, collecting, ſecuring, receiving, and paying the ſaid Duties herein before mentioned, and accounting for the ſame according to the true Intent and Meaning of this Act, as fully, to all Intents and Purpoſes, as if ſuch Powers, Regulations, Proviſions, Articles, Clauſes, Penalties, Forfeitures, Diſtribution of Penalties and Forfeitures, and other Matters and Things, were herein repeated, re-enacted, and applied to the ſaid Stamp Duties herein before mentioned.

Penalty of counterfeiting or forging any of the Seals or Stamps,

or expoſing any ſuch to Sale,

or fraudulently making uſe of any Stamp, to defraud the King of His Duties,

is Felony.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall counterfeit or forge, or procure to be counterfeited or forged, any Seal, Stamp, or Mark, to reſemble any Seal, Stamp, or Mark, directed, authorized, or allowed, to be uſed by, or which ſhall be provided, made, or uſed, in purſuance of, this Act; or ſhall counterfeit or reſemble the Impreſſion of the ſame, thereby to evade the Payment of any of the Duties herein before mentioned; or ſhall utter, vend, or ſell, any Vellum, Parchment, or Paper, liable to any ſuch Stamp Duties, with ſuch counterfeit Stamp, Mark, or Impreſſion thereon, knowing the ſame to be counterfeit; or ſhall privately or fraudulently uſe any Seal, Stamp, or Mark, authorized or allowed to be uſed by, or provided or uſed, or to be provided or uſed, in purſuance of, this Act, relating to the ſaid Stamp Duties, with an Intent to defraud His Majeſty, His Heirs, and Succeſſors, of any of the ſaid Duties, or any Part thereof; every ſuch Perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy.

Monies ariſing by theſe Duties, to be applied as the Duties upon Policies of Aſſurance granted by former Acts.

And be it further enacted by the Authority aforeſaid, That the Monies ariſing by the ſeveral and reſpective Duties herein before mentioned (the neceſſary Charges of Management, and of raiſing, collecting, receiving, paying, and accounting for, the ſaid Monies, excepted) ſhall be iſſued and applied to ſuch and the ſame Uſes and Purpoſes as the Duties upon Policies of Aſſurance are, by former Acts of Parliament, directed to be iſſued and applied.

Where Perſons are ſued for aſſuring to a greater Amount than 1000*l.* by a ſingle 5*s.* Stamp, the Proof, as to the Value aſſured, to lie on the Defendant.

And be it further declared and enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued or proſecuted under, and by virtue of, this Act, for aſſuring the Properties of any Number of Perſons whatſoever in any Ship, Cargo, or both, to a greater Amount than the Sum of One thouſand Pounds, by a Policy ſtamped with a Stamp of Five Shillings only; then, and in ſuch Caſe, the Proof, as to the Amount or Value ſo aſſured, ſhall lie on the Perſon or Perſons that ſhall be ſo ſued or proſecuted, and not on the Perſon or Perſons who ſhall ſue or proſecute.

The Allowance of 6*l. per Cent.* made by Act 29 *Geo.* II. in reſpect of the prompt Payment of the Stamp Duties on Beer Licences, *&c.*

And be it further enacted by the Authority aforeſaid, That the Allowance, after the Rate of Six Pounds in the One hundred Pounds per Annum for Six Months, authorized to be made by an Act of Parliament paſſed in the Twenty-ninth Year of the Reign of his late Majeſty King George the Second, intituled, An Act for granting to His Majeſty a Duty upon Licences for retailing Beer, Ale, and other Exciſeable Liquors; and for eſtabliſhing a Method for granting ſuch Licences in *Scotland*; and for allowing ſuch Licences to be granted at a Petty Seſſion in *England*, in a certain Caſe therein mentioned) to every Perſon who ſhall, at One Time, bring to be ſtamped, or buy of the Commiſſioners for managing the Stamp Duties, Vellum, Parchment, or Paper, the Duties whereof ſhall amount to Ten Pounds and upwards, upon the preſent Payment of the ſaid Duties, ſhall, from and after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty ſeven, ceaſe and determine.

is to ceaſe after 1 *Auguſt*, 1767;

and in lieu thereof, 4*l. per Cent.* only is to be allowed.

And it is hereby further declared and enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty ſeven, inſtead and in lieu of ſuch Allowance, there ſhall be allowed and paid in Great Britain, to every Perſon who ſhall, at any One Time, bring to be ſtamped, or buy of the ſaid Commiſſioners, Vellum, Parchment, or Paper, charged with any Duties in and by the ſaid Act of Parliament, which ſhall, in the Whole, amount to Ten Pounds or upwards, after the Rate of Four Pounds in the One hundred Pounds per Annum for Six Months, upon the preſent Payment of the ſaid Duties at the Head Office for marking or ſtamping Vellum, Parchment, and Paper.

Act 9 *Annæ.*

And whereas it hath been the Practice of late for the Owners of Unlicenſed Coaches to let the ſame out for Hire, by way of Jobb, by the Day, or for leſs than a Day, contrary to the true Intent and Meaning of an Act made in the Ninth Year of the Reign of Her late Majeſty Queen Anne, intituled (An Act for licenſing and regulating Hackney Coaches and Chairs; and for charging certain new Duties on ſtampt Vellum, Parchment, and Paper, and on Cards and Dice, and on the Exportation of Rock Salt for *Ireland*; and for ſecuring thereby, and by a Weekly Payment out of the Poſt Office, and by ſeveral Duties on Hides and Skins, a yearly Fund of One hundred eighty ſix thouſand ſix hundred and ſeventy Pounds, for Thirty two Years, to be applied to the

the Satisfaction of ſuch Orders as are therein mentioned, to the Contributors of any Sum not exceeding Two millions to be raiſed for carrying on the War, and other Her Majeſty's Occaſions) to the great Prejudice of His Majeſty's Revenue, and of the Licenſed Hackney Coachmen: For Remedy thereof, be it enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty ſeven, upon every Information before the Commiſſioners appointed, or to be appointed, for licenſing and regulating Hackney Coaches and Chairs, or the major Part of them, againſt any Perſon, for driving for Hire, or letting to Hire, any Hackney Coach, contrary to the ſaid Act made in the Ninth Year of Her ſaid late Majeſty's Reign, although no expreſs Hireing ſhall be proved; yet unleſs the Party accuſed ſhall appear, and make Proof to the ſaid Commiſſioners, or the major Part of them, that no Money or other Gratuity was made or paid, or agreed or intended to be made or paid, for the Uſe of ſuch Coach, the ſame ſhall be deemed and adjudged a driving for Hire, or letting to Hire, to all Intents, Conſtructions, and Purpoſes whatſoever; and every Perſon ſo offending ſhall, for every ſuch Offence, incur ſuch and the like Penalty as if ſuch Money, or other Gratuity, was actually proved to be made or paid; any Statute, Bye-Law, Uſage, or Cuſtom, to the contrary thereof notwithſtanding.

Hackney Coaches let out for Hire, by way of a Jobb, by the Day, or for a leſs Time, contrary to the recited Act, are liable to a Penalty.

And, for the better and more eaſily diſtinguiſhing ſuch Coaches and other Carriages as ſhall be entered at the Head Office of Exciſe in London, purſuant to the Act of Parliament made in the Twentieth Year of the Reign of His late Majeſty King George the Second, and ſhall be let out for Hire, from Gentlemens Coaches, and for making the Owners and Drivers thereof the more eaſily amenable to Juſtice for any Offences committed by them; be it further enacted by the Authority aforeſaid, That every Jobb Coach licenſed at the Head Office of Exciſe in London, which ſhall be driven or let to Hire on private Contract, within the Cities of London and Weſtminſter, or the Suburbs thereof, or within the Pariſhes and Places comprized within the Weekly Bills of Mortality, for any Time longer than One Month, without having the Exciſe Number or Mark fixed under the Foot Board of every ſuch Coach, the ſame ſhall be deemed and adjudged a Coach driven or let to Hire, contrary to the ſaid Act made in the Ninth Year of the Reign of Queen Anne; and every Perſon ſo letting or driving for Hire as aforeſaid, ſhall incur and be liable to the like Penalty as any Perſon or Perſons who ſhall drive or let to Hire by the Hour, Day, or otherwiſe, any Hackney Coach or Coach Horſes within the Cities of London or Weſtminſter, or Suburbs of the ſame, or within the Pariſhes and Places comprized within the Weekly Bills of Mortality, without Leave or Licence from the Commiſſioners for regulating and licenſing Hackney Coaches and Chairs, are now by Law liable unto.

Licenſed Jobb Coaches driven or let out to Hire, within the Weekly Bills, for a longer Time than a Month, without the Exciſe Mark under the Foot Board, liable to a Penalty.

And whereas a Doubt has arisen, whether licensed Hackney Coachmen plying for Hire are compellable to carry Fares any where within the Distance of Ten Miles from the City of London or Westminster; be it further enacted by the Authority aforesaid, That from and after the said First Day of August, One thousand seven hundred and sixty seven, every Coachman licensed by the Commissioners for regulating and licensing Hackney Coaches plying for Hire within the City of London or Westminster, shall be obliged and compellable, on every Day of the Week, at seasonable Times, to go any where within the Distance of Ten Miles from the City of London or Westminster; and in case of Refusal so to do, shall be liable to the like Penalty and Punishment as may by Law now be inflicted, in Cases of Refusal to carry for Hire by licensed Hackney Coachmen.

Licensed Hackney Coaches, plying for Hire, liable to go, at seasonable Times, any where within 10 Miles from *London* or *Westminster*.

And be it further enacted by the Authority aforesaid, That from and after the said First Day of August, One thousand seven hundred and sixty seven, every Person who is or shall be licensed by the said Commissioners, or the major Part of them, to keep and use for Hire any Hackney Chair within the said Cities of London and Westminster, and the Suburbs thereof, and within all and every the Parishes and Places comprized within the Weekly Bills of Mortality, or any Person legally acting under such Person, shall be intitled to, and may demand, receive, and take, for the Hire of any such Hackney Chair, the Rates and Fares herein after mentioned; that is to say,

The following Rates of Fares allowed to be taken by licensed Hackney Chairs, within the Weekly Bills.

The Fares.

For any Distance not exceeding One Mile, Twelve Pence.

And for any Distance being above One Mile, and not exceeding One Mile and Four Furlongs, One Shilling and Six Pence.

And for every further Distance not exceeding Four Furlongs, Six Pence.

And by the Hour, Eighteen Pence for the First Hour, and Six Pence for every Half of an Hour after.

The said former Acts herein before recited, or any Statute, Bye-Law, or Custom, to the contrary notwithstanding.

The said Fares may be recovered, as those settled by Act 9 *Annæ*.

And be it further enacted by the Authority aforesaid, That the said several Rates and Fares for Hire herein before mentioned, shall and may be recovered in the like Manner as the Fares settled by the said Act of the Ninth Year of the Reign of Her said late Majesty Queen Anne, are by Law made recoverable.

Offenders liable to be committed by any of the Laws relating to licensing, &c. Hackney Coaches and Chairs,

And be it further enacted by the Authority aforesaid, That in every Case where any Person, for any of the Offences mentioned in any Law relating to the licensing and regulating of Hackney Coaches and Chairs, shall be liable to be committed to Prison, it shall and may be lawful for the said Commissioners, or any Three or more of them, either to commit such Offender to Prison, in like

like Manner as by any former Act of Parliament they are authorized to do, and for any Time the ſaid Commiſſioners, or any Three or more of them, ſhall think fit, not exceeding One Month, or, by Warrant under their Hands and Seals, to commit ſuch Offender to his Majeſty's Workhouſe of Bridewell in London, or ſome other Houſe of Correction, there to be kept to hard Labour for any Time at the Diſcretion of the ſaid Commiſſioners, not exceeding One Month; and alſo to receive the Correction of the ſaid Houſe, if the ſaid Commiſſioners ſhall ſo think fit to order.

may be committed either to Priſon,

or to Bridewell, and kept to hard Labour;

and receive the Correction of the Houſe.

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty ſeven, if any Perſon who is or ſhall be duly licenſed to let or drive for Hire any Hackney Coach, within the Limits aforeſaid, ſhall be guilty of Misbehaviour in his Employment, it ſhall and may be lawful for the ſaid Commiſſioners, or any Three of them, either to revoke ſuch Coachman's Licence, or to inflict a Penalty not exceeding Three Pounds, upon Conviction for every ſuch Offence, to be paid to the Poor of the Pariſh where ſuch Offence ſhall be committed; and if any Perſon ſo convicted as aforeſaid ſhall not be able, or ſhall refuſe to pay the ſaid Sum, ſo to be impoſed as aforeſaid, he ſhall be committed to his Majeſty's Workhouſe of Bridewell, or ſome other Houſe of Correction, there to be kept to hard Labour for the Space of Thirty Days.

Hackney Coachmen miſbehaving, their Licence may be revoked;

or they may be fined not exceeding 3 *l.* to the Poor of the Pariſh,

and if not paid, they may be committed to ſome Houſe of Correction, *&c.*

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for every or any licenſed Hackney Coachman, or his Driver, to demand and take for his Hire, the Rate or Sum of Twelve Shillings and Six Pence for a Day's Work or Hire, reckoning Twelve Hours to the Day; any thing in the ſaid recited Act made in the Ninth Year of the Reign of her late Majeſty Queen Anne, to the contrary notwithſtanding.

Fare of a Hackney Coach for the Day, 12 *s.* 6 *d.*

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Firſt Day of Auguſt, One thouſand ſeven hundred and ſixty ſeven, every licenſed Hackney Coachman, or his Driver, who ſhall drive with any Hackney Coach on the Lord's Day, ſhall be liable to do the like Work, as well without the Weekly Bills of Mortality as within the ſame, as ſuch Coachman, or his Driver, is by this or any former Act compellable or liable to do on any other Day of the Week.

Hackney Coaches liable to do the like Work on *Sundays*, as on any other Day of the Week.

And be it further enacted by the Authority aforeſaid, That the ſeveral Clauſes in this preſent Act, and in the ſeveral Acts of Parliament heretofore made and paſſed concerning Hackney Coaches and Chairs, as relates to the Juriſdictions, Powers, and Authorities, of the Commiſſioners for licenſing and regulating Hackney Coaches and Chairs; and of Juſtices of the Peace; and to the Rules, Penalties, and Forfeitures, Orders and Directions, in the ſame Acts, or any of them, mentioned; ſhall

Clauſes in the preſent and former Acts concerning Hackney Coaches and Chairs, relating to the Juriſdiction of the Commiſſioners and Juſtices;

and to the Rules, Penalties, and Forfeitures, &c. continued.

be, and are hereby, continued in full Force and Effect, for and during ſuch further Time as any other Part of the ſaid Acts, relating to the licenſing of Hackney Coaches or Chairs, ſhall be in Force and have Continuance.

And whereas it frequently happens, that many Perſons have Occaſion to inſpect the Regiſter Books of Carts, Cars, and Drays, required by Law to be kept by the ſaid Commiſſioners, in order for the more eaſy Diſcovery and bringing to Juſtice the Offenders againſt the Laws now in being relating to the Drivers of ſuch Carts, Cars, and Drays: And whereas no Directions are given by any of the ſaid Laws for the ſaid Commiſſioners, or their Clerk keeping ſuch Entry, to permit or ſuffer any Perſon to inſpect the ſaid Regiſter Books, or to make or give out any Copy of ſuch Entry or Entries; be it therefore further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, having reaſonable Cauſe to inſpect ſuch Regiſter Books of Carts, Cars, or Drays, kept or to be hereafter kept by the ſaid Commiſſioners, ſhall and may, and they are hereby authorized to inſpect the ſame; and the ſaid Commiſſioners, or their Clerks keeping ſuch Regiſter, is and are hereby directed and required, upon Requeſt of any Perſon or Perſons having ſuch reaſonable Cauſe to inſpect the ſame, to produce the Regiſter Book or Books of ſuch Carts, Cars, or Drays, and to make and give to ſuch Perſon or Perſons a true Copy or Copies of ſuch Entry or Entries therein as ſhall be required; and the ſaid Commiſſioners Clerk is hereby authorized to demand and receive for every ſuch Search, and a Copy of every ſuch Entry, the Sum of Four Pence, and no more; and the like Sum where only ſuch Search ſhall be made, although no Copy of ſuch Entry ſhall be required.

Perſons, having reaſonable Cauſe, are authorized to inſpect the Regiſter Books of Carts, Cars, and Drays,

and to take Copies of the Entries required,

paying 4 *d.*

And be it enacted, That no Writ or Writs of Certiorari ſhall ſuperſede Execution or other Proceeding upon any Order or Orders made by the ſaid Commiſſioners in purſuance of this Act; but that Execution and Proceedings ſhall and may be had and made thereupon; any ſuch Writ or Writs, or Allowance thereof, notwithſtanding.

No Execution, or other Proceeding of the Commiſſioners, to be ſuperſeded by *Certiorari*.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued or proſecuted for any Thing by him or them done or executed in purſuance of this Act, he or they ſhall and may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, for his and their Defence; and if upon Trial a Verdict ſhall paſs for the Defendant or Defendants, or Judgement ſhall be given againſt the Plaintiff or Plaintiffs, upon Demurrer; or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their

General Iſſue.

Action, after the Defendant or Defendants ſhall have appeared, then ſuch Defendant and Defendants ſhall have Treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs; for which Coſts he and they ſhall have ſuch Remedy for Recovery thereof, as any Defendant or Defendants hath or have in any other Caſes where by Law Coſts are given to Defendants. Treble Coſts.

FINIS.