

ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

CAP. CLXXIV.

An Act for letting to Farm the Poſt Horſe Duties.

[30th *July* 1814.]

WHEREAS by an Act paſſed in the Twenty-ſeventh Year of His preſent Majeſty's Reign, intituled *An Act to enable the Lord High Treaſurer, or Commiſſioners of the Treaſury for the Time being, to let to Farm the Duties granted by an Act, made in the Twenty-fifth Year of His preſent Majeſty's Reign, on Horſes let to Hire for travelling Poſt, and by Time, to ſuch Perſons as ſhould be willing to contract for the ſame,* the Commiſſioners of the Treaſury were empowered to let to Farm the ſeveral Duties on Horſes let to Hire, therein particularly ſet forth and mentioned to have been granted by the ſaid Act of the Twenty-fifth Year of His Majeſty's Reign, for any Term not exceeding Three Years, under certain Regulations and Reſtrictions expreſſed and contained in the ſaid Act of the Twenty-ſeventh Year of His Majeſty's Reign: And whereas by an Act paſſed in the Forty-fourth Year of His Majeſty's Reign, intituled *An Act to repeal the ſeveral Duties under the Commiſſioners for managing the Duties upon Stamped Vellum, Parchment, and Paper in* Great Britain, *and to grant new and additional Duties in lieu thereof,* the ſeveral Duties granted by the ſaid Act of the Twenty-fifth of His Majeſty's Reign on Horſes let to Hire, as therein mentioned, and extended in certain Caſes by an Act paſſed in the Forty-ſecond Year of His Majeſty's Reign, for enlarging the Time for which Horſes might be let to Hire, without being ſubject to any annual Duty, and other Purpoſes, were repealed; and in lieu thereof, it was enacted, that from and after the Tenth Day of *October* One thouſand eight hundred and four, there ſhould be raiſed, levied, collected, and paid unto His Majeſty, His Heirs and Succeſſors, the ſeveral Duties following; (that is to ſay,) For and in reſpect of every Horſe, Mare, or Gelding, hired by the Mile or Stage, to be uſed in travelling in *Great Britain,* the Sum of

27 G. 3. c. 26.

44 G. 3. c. 98.

of One Penny Halfpenny, for every Mile ſuch Horſe, Mare, or Gelding ſhould be hired to travel; and, for and in reſpect of every Horſe, Mare, or Gelding, hired for a leſs Period of Time than Twenty-eight ſucceſſive Days, for drawing on any Public Road any Coach or other Carriage uſed in travelling Poſt or otherwiſe, if the Diſtance at the Time of hiring ſhould be aſcertained, the Sum of One Penny Halfpenny for every Mile ſuch Horſe, Mare, or Gelding ſhould be hired to travel; and, for and in reſpect of every Horſe, Mare, or Gelding ſo hired as laſt above-mentioned, in any Caſe where the Diſtance ſhould not at the Time of Hiring be aſcertained, the Sum of One Shilling and Nine-pence, for each Day for which ſuch Horſe, Mare, or Gelding ſhould be ſo hired; with an Exception of Horſes, Mares, and Geldings uſed in licenſed Hackney Coaches, where the ſame ſhould be employed to go no greater Diſtance than Ten Miles from the City of *London* or *Weſtminſter*, or the Suburbs thereof; which ſaid ſeveral Duties are now ſecured, raiſed, levied, and collected, by and under the Proviſions and Regulations of the ſaid Acts of the Twenty-fifth and Forty-ſecond Years of His Majeſty's Reign relating to the ſaid Duties ſo repealed as aforeſaid, and by and under the Proviſions and Regulations of another Act paſſed in the Forty-eighth Year of His Majeſty's Reign, intituled *An Act for letting to Farm the Duties on Horſes hired by the Mile or Stage to be uſed in travelling, and on Horſes hired for a leſs Period of Time than Twenty-eight Days for drawing Carriages, uſed in travelling Poſt or otherwiſe in* Great Britain; *and for better ſecuring the ſaid Duties*, and alſo by and under the Proviſions and Regulations of another Act paſſed in the Fifty-firſt Year of His Majeſty's Reign, intituled *An Act for letting to Farm the Duties on Horſes hired by the Mile or Stage, to be uſed in travelling; and on Horſes hired for a leſs Period of Time than Twenty-eight Days, for drawing Carriages uſed in travelling Poſt or otherwiſe, in* Great Britain; *and for facilitating the Recovery of the ſaid Duties:* And whereas the ſaid Duties granted by the ſaid Act of the Forty-fourth Year of His Majeſty's Reign, in reſpect of Horſes, Mares, and Geldings, hired in the Manner aforeſaid, are now let to Farm, under the Authority of the ſaid Act paſſed in the Fifty-firſt Year of His Majeſty's Reign, for a Term of Years which will expire on the Thirty-firſt Day of *January* One thouſand eight hundred and fifteen; and it is expedient that the ſaid Duties ſhould be let to Farm for a further Term: 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 paſſing of this Act, it ſhall be lawful for the Commiſſioners of the Treaſury, or any Three or more of them, for the Time being; and they are hereby empowered, from Time to Time, as it ſhall be neceſſary, either by themſelves, or by His Majeſty's Commiſſioners for managing the Stamp Duties, or ſome of them to be authorized for that Purpoſe, under the Hands of the Commiſſioners of the Treaſury, or any Three or more of them, for the Time being, to let to Farm the ſaid ſeveral Duties granted by the ſaid Act of the Forty-fourth Year of His Majeſty's Reign, for and in reſpect of Horſes, Mares, and Geldings, hired in the Manner aforeſaid, to ſuch Perſon or Perſons as ſhall be willing to farm the ſame, after the Expiration of the preſent Leaſes thereof, in ſuch ſeparate and particular Diſtricts as ſhall be deemed proper and convenient, and under and ſubject to the Regulations and Reſtrictions contained in the ſaid Act of the Twenty-ſeventh Year of

48 G. 3. c. 98.

51 G. 3. c. 76.

The Commiſſioners of Treaſury may let to farm the Duties on Horſes, &c. granted by 44 G. 3. c. 98.

His

His Majeſty's Reign, with regard to the Duties thereby authorized to be let to Farm, ſo far as the ſame are applicable and not hereby altered: Provided always, that none of the ſaid Duties ſhall be let to Farm for any longer Term or Time, than until the Thirty-firſt Day of *January* inclusive, which will be in the Year One thouſand eight hundred and eighteen.

Proviſions of 27 G. 3. c. 26. to be in force as to Duties to be let under this Act.

II. And be it further enacted, That all the Powers, Proviſions, Clauſes, Regulations, and Directions contained in and preſcribed by the ſaid Act of the Twenty-ſeventh Year of His Majeſty's Reign, ſhall be deemed and taken to be in full Force and Effect, with reſpect to the ſaid Duties hereby allowed to be let to farm and to the letting of the ſame and to the Farmers thereof, and to all other Perſons, Matters, and Things relating thereto, as far as the ſame are or ſhall be applicable and not altered by or repugnant to the expreſs Proviſions of this Act, as fully and effectually as if the ſame had been herein repeated and ſpecially enacted with reference to the ſaid Duties hereby allowed to be farmed.

Depoſit to be made by Contractors for the Duties.

III. And be it further enacted, That it ſhall be lawful for the ſaid Commiſſioners of the Treaſury, or any Three or more of them, or the ſaid Commiſſioners of the Stamp Duties authorized as aforeſaid, to preſcribe the Time for making a Depoſit of a Sum of Money and the Amount thereof, on account of the Rent to be paid by the Perſon who ſhall be the beſt Bidder for and be declared the Farmer of any of the ſaid Duties hereby allowed to be farmed; and in caſe any ſuch Perſon ſhall fail to make ſuch Depoſit at the Time preſcribed, or ſhall fail to execute a proper Contract in Writing and to give Security for the Payment of the Rent and the due Performance of ſuch Contract in the Manner directed by the ſaid Act of the Twenty-ſeventh Year of His Majeſty's Reign within the Time to be appointed for that Purpoſe, then and in every ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners of the Treaſury, or any Three or more of them, or the ſaid Commiſſioners of the Stamp Duties authorized as aforeſaid, to declare the Bidding and Contract of ſuch Perſon null and void, and his Depoſit, if made, forfeited, and to cauſe the Duties whereof he ſhall have been declared the Farmer to be again put up to be let to Farm, purſuant to the Directions of this and the ſaid Act of the Twenty-ſeventh Year of His Majeſty's Reign, and ſo from Time to Time as often as ſuch Failure ſhall be made.

Juſtices may meaſure Roads.

IV. And be it further enacted, That from and after the paſſing of this Act it ſhall be lawful for Two or more Juſtices of the Peace for any Diviſion in *Great Britain* to cauſe the Diſtances between various Places in their Diviſion and its Neighbourhood to be meaſured by ſome proper Perſon or Perſons, who ſhall be paid for ſuch Meaſurement ſuch Sum as ſhall appear reaſonable to the ſaid Juſtices out of the County Stock by the Treaſurer of ſuch County upon the Warrant of the ſaid Juſtices, and the Meaſurement being verified before the ſaid Juſtices by the Oath of the Perſon or Perſons making the ſame, to publiſh ſuch Meaſurement under the Hand of the Clerk of ſuch Diviſion twice in ſome Newſpaper of the County for which ſuch Juſtices ſhall act, and from and after ſuch Publication if any Perſon letting Horſes to hire ſhall charge for a greater Number of Miles than is ſpecified in ſuch Table of Diſtances, if the Job for which ſuch Horſes ſhall be hired ſhall exceed Seven Miles, he ſhall forfeit for every ſuch Offence a Sum not exceeding Ten Pounds, to be recovered by Complaint before

Penalty on Poſt Maſters charging for more Miles than the Meaſurement.

before the Juſtices of ſuch Diviſion, by whom One Half of ſuch Penalty ſhall be adjudged for the Benefit of the Informer, and the other for the Poor of the Pariſh in which ſuch Information is laid.

Duties not to attach on Horſes drawing Fiſh Carts.

V. And whereas Doubts have ariſen whether the ſaid Duties granted by the ſaid Act of the Forty-fourth Year of His Majeſty's Reign, do attach upon Horſes hired for drawing Fiſh Carts or Carriages, and it is expedient to remove ſuch Doubts from and after the Expiration of the preſent Leaſes of the ſaid Duties; be it therefore further enacted and declared, That from and after the Thirty-firſt Day of *January* One thouſand eight hundred and fifteen, the ſaid Duties ſhall not be deemed to attach upon, or be payable for or in reſpect of any Horſes, Mares, or Geldings, which ſhall be hired for drawing any Carts or Carriages kept or uſually employed for the Conveyance of Fiſh; but this is not to prejudice any Queſtion in the mean Time between the preſent Farmers of the ſaid Duties and any Perſons who ſhall have let any Horſes, Mares, or Geldings, to Hire for that Purpoſe.

Farmers of Duties reſtrained as to Proſecutions for Penalties.

VI. And be it further enacted, That notwithſtanding the Proviſions contained in the ſaid Act of the Forty-eighth Year of His Majeſty's Reign, it ſhall not be lawful for any Farmer of any of the ſaid Duties, or for any other Perſon or Perſons from and after the Thirty-firſt Day of *January* One thouſand eight hundred and fifteen, to proſecute for any pecuniary Penalty impoſed by any of the ſaid herein-before mentioned Acts in any of His Majeſty's Courts at *Weſtminſter* or in *Scotland*, without having firſt obtained the Conſent in Writing of the Commiſſioners of Stamps, or any Two of them, nor unleſs the Proſecution for the ſame ſhall be carried on by the Solicitor of Stamps, or ſome other Solicitor or Attorney approved of by the ſaid Commiſſioners; and it ſhall be lawful for the Commiſſioners of Stamps or the major Part of them, if they ſhall think fit, to order the Proceedings to be ſtayed in any ſuch Proſecution on Payment of Part only of the Penalty incurred, with or without Coſts, or on Payment only of the Coſts incurred in ſuch Proſecution or any Part thereof, as the ſaid Commiſſioners ſhall judge proper and expedient.

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