PART IV.

Section eleven of 2 & 3 Will. 4. c. 59.—An Act to transfer the management of certain annuities on lives from the receipt of His Majesty's Exchequer to the management of the Commissioners for the Reduction of the National Debt, and to amend an Act for enabling the said Commissioners to grant life annuities and annuities for terms of years.

THE THIRD SCHEDULE.

Fees as to Stock Certificates.

On the issue of a stock certificate, a fee not exceeding five shillings on every hundred pounds of stock included in the certificate, and a proportional sum for any less sum.

If the applicant is the registered holder of an amount of stock divisible into several sums of fifty pounds or multiples of fifty pounds, he may require such sums of fifty pounds or such multiples of fifty pounds to be distributed amongst different certificates, as he thinks fit; subject to this proviso, that if the number of certificates required by him exceed the proportion of five to a thousand pounds he shall, in respect to each certificate constituting that excess, pay a sum of sixpence in addition to the per-centage fee.

On the change of a nominal certificate for a certificate to bearer, or on the registration in the books of the Bank of the stock included in a nominal certificate, there shall be charged a fee not exceeding one half the fee that would be chargeable on the issue of a new certificate to bearer.

On the registration in the books of the Bank of the stock included in a stock certificate to bearer there shall be charged a fee not exceeding five shillings.

CHAP. 72.

An Act for granting certificates to Pedlars. [9th August 1870.]

WHEREAS it is expedient to amend the law relating to pedlars:

Be it enacted by the Queen'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, as follows:

Preliminary.

Short title.

1. This Act may be cited as The Pedlars Act, 1870.

Commencement of Act.

2. This Act shall not come into operation until the first day of January one thousand eight hundred and seventy-one, which date is in this Act referred to as the commencement of this Act.

Interpretation of certain terms in the Act.

3. In this Act, if not inconsistent with the context, the following terms have the meanings herein-after respectively assigned to them; that is to say,

The term "pedlar" means any hawker, pedlar, petty chapman, tinker, caster of metals, mender of chairs, or other person who, without any horse or other beast bearing or drawing burden, travels and trades on foot and goes from town to town or to other men's houses, carrying to sell or exposing for sale any goods, wares, or merchandise, or procuring orders for goods, wares, or merchandise immediately to be delivered, or selling or offering for sale his skill in handicraft:

The term "police district" means—

In England,—

(1.) The city of London and the liberties thereof:

(2.) The metropolitan police district:

(3.) Any county, riding, part, division, or liberty of a county, borough, burgh, city, town, place, or union, or combination of places maintaining a separate police force; and all the police under one chief constable shall be deemed to constitute one force for the purposes of this section:

In Scotland,—

Any area maintaining a separate police force, and all the police under one chief constable shall be deemed to constitute one force for the purposes of this section:

In Ireland,—

(1.) The police district of Dublin metropolis:

(2.) Any district, whether city, town, or country, over which is appointed a sub-inspector of the Royal Irish Constabulary.

The term "chief officer of police" means—

In England,—

(1.) In the city of London and the liberties thereof the commissioner of city police:

(2.) In the metropolitan police district, the commissioner of metropolitan police:

(3.) Elsewhere the chief constable, or head constable, or other officer, by whatever name called, having the chief command of the police in the police district in reference to which such expression occurs:

In Scotland,—

The chief constable, superintendent of police, or other officer, by whatever name called, having the chief command of the police in the police district in reference to which such expression occurs:

In Ireland,—

(1.) In the police district of Dublin metropolis, either of the commissioners of police for the said district:

(2.) In any other police district the sub-inspector of the Royal Irish Constabulary:

Any act or thing by this Act authorised to be done by the chief officer of police may be done by any person authorised by him in that behalf.

The term "court" includes the justice or justices, magistrate or magistrates, to whom jurisdiction is given by this Act.

Certificates to be obtained by Pedlars.

No one to act as a pedlar without certificate.

4. After the commencement of this Act no person shall act as a pedlar without such certificate as in this Act mentioned, or in any district where he is not authorised by his certificate so to act.

Any person who—

1. Acts as a pedlar without having obtained a certificate under this Act authorising him so to act;
2. Acts as a pedlar in any district in which he is not authorised so to act by a certificate granted under this Act,

shall be liable for a first offence to a penalty not exceeding ten shillings, and for any subsequent offence to a penalty not exceeding one pound.

Grant of certificate.

5. The following regulations shall be made with respect to the grant of pedlars certificates:

1. Subject as in this Act mentioned a pedlar's certificate shall be granted to any person by the chief officer of police of the police district in which the person applying for a certificate resides, on such officer being satisfied that the applicant is a person of good character:
2. An application for a pedlar's certificate shall be in the form specified in the schedule to this Act, or as near thereto as circumstances admit:
3. There shall be paid for a pedlar's certificate previously to the delivery thereof to the applicant a sum not exceeding sixpence:
4. A pedlar's certificate shall be in the form specified in the schedule thereto, or as near thereto as circumstances admit:
5. A pedlar's certificate shall remain in force for one year from the date of the issue thereof and no longer:

6. On the delivery up of the old certificate or on sufficient evidence being produced to the satisfaction of the chief officer of police that the old certificate has been lost, that officer may either at the expiration of the current year, or during the currency of any year, grant a new certificate in the same manner as upon a first application for a pedlar's certificate.

Effect of certificate.

6. A pedlar's certificate granted under this Act shall, during the time for which it continues in force, authorise the person to whom it is granted to act as a pedlar, within the police district in which such pedlar resides and the certificate is taken out.

Certificate to be extended by indorsement to other districts than that for which it was granted.

7. Any pedlar who, having obtained a pedlar's certificate, desires to act as a pedlar in any other police district than that in which he resides, or who goes to reside in any other district, may, while his certificate remains in force, apply to the chief officer of police of such other district to indorse his certificate, and such officer shall, unless he is satisfied that the applicant is not a person of good character, on payment by the pedlar of a fee not exceeding sixpence, indorse such certificate, and such indorsed certificate shall, while it continues in force, authorise the pedlar to act as a pedlar in such other district, and have in all respects the same effect as a certificate granted under this Act by an officer of such district to a person resident therein would have.

The indorsement shall be in the form specified in the schedule to this Act, or as near thereto as circumstances admit.

Register of certificates to be kept in each district.

8. There shall be kept in each police district a register of the certificates and o the indorsement of certificates granted and made in such district under this Act, in such form and with such particulars as may from time to time be directed by one of Her Majesty's Principal Secretaries of State.

The entries in such register, and any copy of any of such entries, if such copy shall have been certified by the chief officer of police, shall be evidence in any court of law of the facts stated therein.

Forms of application to be kept at chief police office.

9. Forms of application for certificates shall be kept at every police office in every police district, and shall be given gratis to any person applying for the same; and all applications for certificates shall be delivered at the police office of the division or subdivision of the police district within which the applicant resides, and certificates, when duly signed by the chief officer of police, shall be issued at such office.

Certificate not to be assigned.

10. A person to whom a pedlar's certificate is granted under this Act shall not lend, transfer, or assign the same to any other person, and any person who lends, transfers, or assigns such certificate to any other person shall for each offence be liable to a penalty not exceeding twenty shillings.

Certificate not to be borrowed.

11. No person shall borrow or make use of a pedlar's certificate granted to any other person, and any person who borrows or makes use of such certificate shall for each offence be liable to a penalty not exceeding twenty shillings.

Penalty for forging certificate.

12. Any person who commits any of the following offences, (that is to say,)

1. Makes false representations with a view to obtain a pedlar's certificate under this Act;
2. Forges or counterfeits a pedlar's certificate granted under this Act;
3. Forges or counterfeits an indorsement made under this Act on such a certificate;
4. Aids in making or procures to be made such forged or counterfeited certificate or indorsement;
5. Travels with, produces, or shows any such forged or counterfeited certificate or indorsement,

shall for the first offence be liable to a penalty not exceeding two pounds, and for any subsequent offence, either instead of or in addition to such penalty, to be imprisoned for any term not exceeding six months with or without hard labour.

Certificate not to be granted to certain persons.

13. No certificate under this Act shall be granted to any person convicted of felony or of any misdemeanor involving dishonesty.

14. If any pedlar is convicted of any offence under this Act, the court before which he is convicted shall indorse or cause to be indorsed on his certificate a record of such conviction. Convictions to be indorsed on certificate.

The indorsements made under this Act on a pedlar's certificate shall be evidence in any court of law of the facts stated therein.

15. If the chief officer of police refuses to grant or indorse a certificate, he shall, on demand, forthwith give to the applicant in writing his reasons for such refusal, and the applicant may appeal to a court having jurisdiction in the place in which the applicant resides, in accordance with the following provisions:— Appeal against refusal of certificate by chief officer of police.

1. The applicant shall, within one week after the refusal, give to the chief officer of police notice in writing of the appeal, and at the same time shall deposit with him five shillings, for which such officer shall give a written receipt:
2. The appeal shall be heard at the sitting of the court which happens next after the expiration of the said week, but the court may, on the application of either party, adjourn the case:
3. The court shall hear and determine the matter of the appeal, and make such order thereon, with or without costs to either party, as to the court seems just:
4. If the appeal is dismissed the court may order the costs of the appeal, or any part thereof, to be paid out of the said deposit, but, subject to any such order, the deposit shall be repaid to the appellant:
5. The enactments relating to proceedings before the court shall apply to proceedings under this section, and any order made by the court in pursuance of this section may be enforced in the same manner as an order made by the court in the exercise of their ordinary jurisdiction, and any certificate, or indorsement of a certificate, granted or made in pursuance of an order of the court, shall have the same effect as if it had been originally granted or made by the chief officer of police.

For the purposes of this section the "court" shall be any court before which a penalty under this Act can be recovered.

16. Any court before which any pedlar is convicted of any offence, whether under this or any other Act, may, if he or they think fit, deprive such pedlar of his certificate. Court empowered to deprive pedlar of certificate.

Duties of Pedlars.

17. Any pedlar shall at all times on demand produce and show his certificate to any of the following persons; (that is to say,) Pedlar to show certificate to certain persons on demand.

1. Any justice of the peace; or
2. Any constable or officer of police; or
3. Any person to whom such pedlar offers his goods for sale; or
4. Any person in whose private grounds or premises such pedlar is found:

And any pedlar who refuses on demand to show his certificate to, and allow it to be read and a copy thereof to be taken by, any of the persons hereby authorised to demand it, shall for each offence be liable to a penalty not exceeding five shillings; and it shall be lawful for any person so authorised, and also for any other person acting by his order or at his request and in his aid, to apprehend such offender and forthwith to convey or cause him to be conveyed before a justice of the peace; provided that no pedlar so apprehended shall on any pretence whatever be detained for a longer period than twelve hours from the time of his apprehension until he is brought before a justice of the peace.

18. It shall be lawful for any constable or officer of police at any time to open and inspect any pack, box, bag, trunk, or case in which a pedlar carries his goods, wares, and merchandise, and any pedlar who refuses to allow such constable or officer to open or inspect such pack, box, bag, trunk, or case, or prevents or attempts to prevent him from opening or inspecting the same, shall be liable for each offence to a penalty not exceeding twenty shillings. Police empowered to inspect pedlar's pack.

Temporary Provisions.

19. Any license to act as a hawker granted to any person before the commencement of this Act shall, notwithstanding the passing of this Act, continue in force till the date Licenses granted before

Act tore main in force.

at which such license expires, and no person acting or trading as a hawker under such license shall during the time for which such license continues in force be required to obtain a pedlar's certificate under this Act, or be liable to any penalty for trading or acting as a pedlar without having obtained a certificate under this Act.

Summary Proceedings for Offences.

Summary proceedings for offences.

20. Any penalty under this Act may be recovered as follows:

In England, before two justices of the peace in manner directed by the Act of the eleventh and twelfth years of the reign of Her present Majesty, intituled "An Act "to facilitate the performance of the duties of justices of the peace out of sessions "within England and Wales with respect to summary convictions and orders," and any Act amending the same:

In Scotland, in manner directed by the "Summary Procedure Act, 1864:"

In Dublin, in manner directed by the Acts regulating the powers of justices of the peace, or of the police of Dublin metropolis, and in all other parts of Ireland by the "Petty Sessions, Ireland, Act, 1851."

Application of fees.

21. All fees received under this Act shall be applied in manner in which penalties recoverable under this Act are applicable.

Saving.

Certificate not required by commercial travellers, sellers of fish, or sellers in fairs.

22. Nothing in this Act shall render it necessary for a certificate to be obtained by the following persons; (that is to say,)

1. Commercial travellers or other persons selling or seeking orders for goods, wares, or merchandise to or from persons who are dealers therein and who buy to sell again:
2. Sellers of vegetables, fish, fruit, or victuals:
3. Persons selling or exposing to sale goods, wares, or merchandise in any public mart, market, or fair legally established.

Reservation of powers of local authority.

23. Nothing in this Act shall take away or diminish any of the powers vested in any local authority by any general or local Act in force in the district of such local authority.

SCHEDULE.

FORM A.

FORM OF APPLICATION FOR PEDLAR'S CERTIFICATE.

1. I, *A.B.* [*Christian and surname of applicant in full*] reside at in the parish of in the county of .

2. I am by trade and occupation a [*here state trade and occupation of applicant, e.g., that he is a hawker, pedlar, &c.*]

3. I apply for a certificate under The Pedlars Act, 1870, authorising me to act as a pedlar within the police district.

Dated the day of .

(Signed) *A.B.* [*Here insert Christian and surname of applicant.*]

FORM B.

FORM OF PEDLAR'S CERTIFICATE.

In pursuance of The Pedlars Act, 1870, I certify that *A.B.* [*name of applicant*] of in the county of is hereby authorised to act as a pedlar within the police district for a year from the date of this certificate.

Certified this day of A.D.

(Signed) [*Here insert name and description of the officer signing the certificate.*]

This certificate will expire on the day of A.D. .

FORM C.

FORM OF INDORSEMENT OF PEDLAR'S CERTIFICATE.

The within-named [*here insert Christian and surname of pedlar*] is hereby authorised to act as pedlar up to and until the day of , the day on which his certificate expires within the police district of .

(Signed) [*Here insert name and description of the chief officer of police by whom the certificate is indorsed.*]

CHAP. 73.

An Act to continue certain Turnpike Acts in Great Britain, to repeal certain other Turnpike Acts, and to make further Provisions concerning Turnpike Roads. [9th August 1870.]

WHEREAS it is expedient to continue for limited times some of the Acts herein-after specified, and to repeal others:

Be it enacted by the Queen'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, as follows:

1. The Acts specified in the first schedule annexed hereto shall be repealed on and after the first day of November one thousand eight hundred and seventy. Repeal of certain Acts. Schedule 1.

2. The Acts specified in the second schedule annexed hereto shall expire at the time in that behalf mentioned in "The Annual Turnpike Acts Continuance Act, 1869." Expiration of certain Acts. Schedule 2.

3. The Acts specified in the third schedule annexed hereto shall be repealed on and after the date in that behalf mentioned in "The Annual Turnpike Acts Continuance Act, 1869." Repeal of certain Acts. Schedule 3.

4. The Acts specified in the fourth schedule annexed hereto shall continue in force until the thirty-first day of December one thousand eight hundred and seventy, and no longer. Expiration of certain Acts. Schedule 4.

5. The Acts specified in the fifth schedule annexed hereto shall be repealed on and after the thirty-first day of May one thousand eight hundred and seventy-one. Repeal of certain Acts. Schedule 5.

6. The Acts specified in the sixth schedule annexed hereto shall continue in force until the first day of November one thousand eight hundred and seventy-one, and no longer, unless Parliament in the meantime otherwise provides. Continuance of certain Acts. Schedule 6.

7. The Acts specified in the seventh schedule annexed hereto shall be repealed on and after the first day of November one thousand eight hundred and seventy-one, unless Parliament in the meantime otherwise provides. Repeal of certain Turnpike Acts. Schedule 7.

8. The Acts specified in the eighth and ninth schedules annexed hereto shall continue in force until the first day of November one thousand eight hundred and seventy-one, and in the case of each trust for such further time, if any, as may be required to complete the term of one year, not later than the first day of June one thousand eight hundred and seventy-two, from the time for which the tolls, or any of them, shall have been let at the last meeting of such trust held for that purpose, unless Parliament in the meantime otherwise provides. Continuance of certain Acts. Schedules 8. and 9.

9. All other Acts now in force for regulating, making, amending, or repairing any turnpike road in Great Britain which will expire at or before the end of the next session of Parliament shall continue in force until the first day of November one thousand eight hundred and seventy-one, and to the end of the then next session of Parliament, unless Continuance of all other Turnpike Acts, except