



## CHAPTER cxcix.

An Act for conferring upon the Accident Indemnity Company (Limited) further powers and privileges with respect to the Assurance of Travellers by Railway ; and for other purposes. A.D. 1872.  
[10th August 1872.]

**W**HEREAS the Accident Indemnity Company, Limited, in this Act called "the Company," have been incorporated under the Companies Acts, 1862 and 1867, for the purposes (amongst others) of granting and issuing at railway stations and elsewhere, either in the United Kingdom of Great Britain and Ireland, or in the British Colonies and elsewhere, of policies and tickets or other instruments of assurance against, or assuring compensation or payment in case of loss of life or health from bodily injury caused by accidents of any kind, whether by perils on land or water or by any misadventure or violence whatever :

And whereas it is expedient that such further powers should be conferred upon the Company with respect to the assurance of travellers by railway, and such provision made with reference to the Company and their undertaking as in this Act contained :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

May it therefore please Your Majesty that it may be enacted ; and 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 ; (that is to say,)

1. This Act may be cited as *The Accident Indemnity Company (Limited) Act, 1872.* Short title.

2. The schedules to this Act shall be deemed part of this Act. Schedules to be deemed part of Act.

3. In this Act the following words and expressions have the respective meanings hereby assigned to them, unless there be Interpretation of terms.  
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A.D. 1872. something in the subject or context repugnant to such construction :

“ Railway company ” means a company working a railway for public traffic in the United Kingdom or incorporated for that purpose either alone or in conjunction with any other purpose :

“ Railway passenger ” means a person whom a railway company carry or contract to carry on a railway in the United Kingdom for hire :

“ Railway accident ” means an accident to a railway train carrying passengers on the railway of a railway company or to any carriage forming part of such a train :

“ Single journey ” means a journey by railway from one point to another point :

“ Single and return journey ” means a journey by railway from one point to another point, and back to the point of commencement of the journey or to some intermediate point :

“ Assurant ” means a railway passenger with whom the Company enter into a contract of assurance :

“ Representatives ” means executors, administrators, or other legal personal representatives :

“ Assurance ticket ” includes any “ voucher ” delivered to an assurant in conformity with this Act as evidence of an assurance, and whether a separate ticket or printed or marked on a ticket of a railway company.

Delivery of assurance ticket to assurant.

4. As evidence of an assurance for a single journey or a single and return journey entered into with any railway passenger in relation to loss of life or health, or in relation to bodily injury to be caused to him by any railway accident, the Company, by themselves or any of their officers, or by a railway company or any agent or officer of such railway company, may deliver to the assurant an assurance ticket upon which the maximum amount of the Company's liability and the journey or period to which the same extends, and (either by reference or otherwise) the regulations and conditions subject to which the assurance is made, shall be distinctly expressed, and such assurance ticket may be (in the option of the Company) either a separate ticket or a ticket of the railway company, with appropriate words or marks to distinguish it as being also an assurance ticket.

Delivery of ticket to constitute contract.

5. The delivery as aforesaid of an assurance ticket shall constitute a binding contract of assurance on the part of the Company, and no further or other act than the delivery of the ticket shall be necessary to be done by or on behalf of the Company in order

that they may be legally bound to perform that contract, and any railway company and any agent or officer of any railway company who shall deliver any assurance ticket to any person shall in the absence of express notice to the contrary be conclusively presumed to be the agent of the Company for the purpose of such delivery. A.D. 1872.

6. If any person transfers, disposes of, or puts off an assurance ticket with intent to defraud, he shall for every such offence be liable to a penalty not exceeding twenty pounds. Penalty on fraudulent transfer.

7. An assurance ticket shall be deemed an undertaking for the payment of money within the enactment relating to forgery described in the first schedule to this Act. Forgery of ticket.

8. Any railway company may from time to time enter into and carry into effect such agreements and arrangements with the Company as such railway company think fit respecting all or any of the following matters; (namely,)

The granting facilities for assurance business and for the issue of assurance tickets to railway passengers at railway stations; Agreements with railway companies, and officers of railway way companies to be agents of Company.

The marking of the railway company's tickets with appropriate marks to distinguish them as being also assurance tickets;

The issuing of separate assurance tickets furnished to the railway company by the Company;

The collecting and receiving of the Company's premiums of assurance at the stations or offices of the railway company, either by the clerks of the Company or by the clerks of the railway company appointed for that purpose on behalf of the Company or otherwise;

Generally all matters relating to the conduct of the business of the Company in connexion with the traffic or business of the railway company:

and may from time to time revoke or alter any such agreement or arrangement, and in all cases in which by virtue of any such agreement the objects of this Act are or are intended to be effected through the co-operation of a railway company, the railway company and their officers appointed for that purpose in pursuance of any such agreement or arrangement shall for the purpose of binding the Company be deemed agents of the Company.

9. All regulations and conditions which the Company shall from time to time make, and which are intended by notice or otherwise to be incorporated with or to form part of any contract of assurance, shall from time to time be deposited by the Company with the Board of Trade; and all such regulations and conditions shall be Regulations and conditions of Company to be deposited with and approved by

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Board of  
Trade.

subject to the approval of the Board, and when so approved (but no sooner) shall be binding upon the Company, and all persons interested. The Company shall not issue any assurance ticket purporting to incorporate by reference or otherwise any regulations or conditions not expressed upon the face of the ticket unless or until such regulations or conditions shall have been approved by the Board of Trade.

Power for  
Board of  
Trade to  
make re-  
gulations.

**10.** The Board of Trade may from time to time make such regulations as they think fit for the following purposes, or any of them; (namely,)

For requiring the Company to keep printed placards posted at the places where their assurance tickets are issued, giving such notice as the Board of Trade think fit of the provisions of this Act, and of the regulations and conditions under which such tickets are issued, and of the Company's rates of premium, and of their scale of proportionate compensation in case of bodily injury, and their regulations relating thereto for the time being in force:

For prescribing the form and contents of assurance tickets and the terms of any notice to be given thereon:

and the Board of Trade may from time to time revoke or alter any such regulation, and the Company shall abide by and perform every such regulation for the time being in force, and if in any case they fail to do so they shall be liable to a penalty not exceeding ten pounds, and to a further penalty not exceeding forty shillings for every day during which the offence is continued after notice of the offence served on them by or with the authority of the Board of Trade.

Penalty for  
damaging  
placards.

**11.** If any person wilfully defaces, damages, or removes any placard posted by the Company in pursuance of any regulation of the Board of Trade he shall for every such offence be liable to a penalty not exceeding five pounds.

Recovery of  
penalties.

**12.** Penalties under this Act shall be recoverable summarily before two or more justices, subject and according to the provisions of the Acts described in the second schedule to this Act, and as regards Scotland with power for the justices to sentence the offender to imprisonment for any term not exceeding three months until the penalty and the expenses of conviction are paid.

Composition  
for stamp  
duty.

**13.** The Company shall pay to Her Majesty in and throughout the United Kingdom a duty at the rate of five per centum on all sums received by them for assurance tickets, which duty shall be under the care and management of the Commissioners of Inland

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Revenue, and shall be denominated and deemed a stamp duty, and shall be in lieu of the stamp duty to which each assurance ticket would be liable as a contract of assurance if this Act had not been passed, and assurance tickets shall accordingly be exempt from stamp duty.

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14. The Company shall from time to time render to the Commissioners of Inland Revenue such accounts, at such times and places, in such manner and form, and so verified, and shall give such security for payment of the stamp duty aforesaid as those Commissioners from time to time with the approval of the Commissioners of Her Majesty's Treasury direct, and the officers of the Commissioners of Inland Revenue shall at all times have free access to the books of the Company.

Company to  
render ac-  
counts and  
give security  
for stamp  
duty, &c.

15. The costs, charges, and expenses preliminary to and of and incidental to the preparing of and applying for and the obtaining and passing of this Act shall be paid by the Company.

Expenses  
of Act.

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The SCHEDULES to which the foregoing Act refers.

THE FIRST SCHEDULE.

ENACTMENT RELATING TO FORGERY REFERRED TO.

24 & 25 Vict. c. 98. s. 23.—Section twenty-three (forging orders, receipts, &c. for money, goods, &c.) of the Act of the session of the twenty-fourth and twenty-fifth years of Her Majesty's reign (chapter ninety-eight), intituled "An Act to consolidate and amend the statute law of England and Ireland relating to indictable offences by forgery."

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THE SECOND SCHEDULE.

SUMMARY JURISDICTION ACTS.

ENGLAND.

(1.) 11 & 12 Vict. c. 43.—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.

(2.) Any Act amending the same.

IRELAND.

(3.) 14 & 15 Vict. c. 93.—An Act to consolidate and amend the Acts regulating the proceedings at petty sessions and the duties of justices of the peace out of quarter sessions in Ireland.

(4.) Any Act amending the same.

SCOTLAND.

(5.) 27 & 28 Vict. c. 53.—The Summary Procedure Act, 1864.

(6.) Any Act amending the same.