CAP. CXII.

An Act to consolidate and amend the Laws relating to Hackney and Stage Carriages, also Job Carriages and Horses, and Carts let for Hire, within the Police District of *Dublin* Metropolis. [20th *August* 1853.]

'WHEREAS it is expedient that the Laws relating to Hackney and Stage Carriages, and Carriages and Horses let for Hire, and Vehicles drawn by Horses or other Beasts of Burden, within the Police District of *Dublin* Metropolis as now by Law defined, should be consolidated and amended, and that the Employment and Use of such Carriages, Horses, and Vehicles as are herein-after more particularly named and described, and the Authority to license, and the Conduct of the Proprietors, Drivers, and Attendants thereof, should be placed under the Regulation and Control of the Commissioners of Police of the Police District of *Dublin* Metropolis:' Be it therefore 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:

Repeal of Acts

I. From and after the First Day of *January* One thousand eight hundred and fifty-four the several Acts and Portions of Acts set forth in the Schedule (A.) to this Act annexed shall cease and determine and shall be repealed, save so far as the same or any of them may repeal the whole or any Part of any other Act or Acts, and save as to all Rules, Orders, and Regulations, or Byelaws, heretofore made in pursuance or under the Authority of said Acts or any of them, and now remaining in force, all which Rules, Orders, Regulations, and Byelaws shall remain in force until the same shall respectively be altered or repealed under the Authority of this Act, and save as to any Duties, Penalties, or Forfeitures that shall have been incurred or become payable by virtue of the said Acts or any One of them, and as to all other Matters and Things whatsoever which shall have been done or omitted either pursuant to or in violation of the said Acts or any of them prior to the said First Day of *January* One thousand eight hundred and fifty-four.

Acts of One Commissioner valid.

II. All Acts, Matters, and Things whatsoever which the Commissioners of the Metropolitan Police are by this Act required or empowered to execute, do, or perform shall and may be legally executed, done, or performed either by both or by One only of the said Commissioners, and whether both or only One of the said Commissioners shall be present on such Occasion; save and except the making or altering of any General Rules, Orders, Regulations, or Byelaws, and the altering of Licences, Duties, and of Fares of Carriages, under the Provisions herein-after stated, in all which Acts both Commissioners must concur.

After June 1, 1854, Licences granted under 37 G. 3. c. 58., &c. to be null and void, save as to those granted for 1854.

III. From and after the First Day of *June* One thousand eight hundred and fifty-four, all Licences theretofore granted to Persons under the Provisions of an Act passed in the Thirty-seventh Year of the Reign of King *George* the Third, Chapter Fifty-eight, and any Act amending the same, for any of the Purposes whatsoever in respect of which Duties are herein-after imposed, shall respectively cease and determine, and be utterly null and void, save as to Licences granted to Drivers and Conductors of Hackney and other public Carriages for the Year One thousand eight hundred and fifty-four, and shall be delivered up to the said Commissioners, together with the Figure or Mark of Distinction belonging thereto: Provided always, that in every Case in which the Time shall not have expired in respect of which the Rent reserved upon any such Licence shall have been paid it shall be lawful to make a Deduction from the Amount of Duty which shall in any such Case be payable under this Act by the same Person, and such Deduction shall be in the same Proportion to the Rent previously paid for the Term of Time unexpired as such Term of Time shall bear to the whole Term for which the said Rent shall have been charged, and all Proprietors of Hackney Carriages whose Licences shall be so delivered up to the said Commissioners shall be *primâ facie* entitled to obtain a Proprietor's Licence under the Provisions of this Act.

Reduction to present Holders of Licences upon which

IV. Every Person who shall be possessed of any Licence to keep any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse, as in this Act described, granted under any former Act, and which Licence shall be in force on the First Day of *January* One thousand

Fines have been paid on obtaining new Licences.

thousand eight hundred and fifty-four, and who shall at any Time within Five Calendar Months next following the said Date apply for a new Licence under the Provisions of this Act, in lieu of such former Licence, and shall have respectively paid up the Rent reserved on such former Licence, and shall have paid all Fines and Forfeitures which may have been incurred by him under or by virtue of any former Act or Acts hereby repealed, shall be entitled, in consideration of the Fine theretofore paid on procuring such former Licence, on their First or First and further Payment of Duty in respect of such new Licence, to a Reduction in the Sum or Sums of Money to be paid equal to a Sum of Money bearing the same Proportion to the Fine paid on procuring such former Licence as the Number of Half Years remaining unexpired of the original Term by such Licence granted bears to the total Number of Half Years contained in such original Term: Provided always, that such Deduction or Deductions shall in no Case be made or allowed except when the new Licence upon which such Reduction of Duty shall be demanded shall be required for a Carriage or other Vehicle of the same Class and Description as the Carriage or other Vehicle described in the former Licence, and unless such former Licence, together with the Figure or Mark of Distinction appertaining thereto, shall be produced and delivered up to the said Commissioners, or to the Officer appointed for that Purpose, or the Nonproduction of same accounted for to the Satisfaction of the said Commissioners.

Licence Duties to be paid as in Schedule (B.)

V. From and after the First Day of *January* One thousand eight hundred and fifty-four there shall be paid, as herein-after provided, in each and every Year, to the Officer duly appointed for that Purpose, for and in respect of every Licence to be granted under this Act for every Hackney Carriage, Job Carriage, Stage Carriage, Cart, and Job Horse mentioned and described in the Schedule (B.) to this Act annexed, and which shall be deemed a Part of the same, the several annual Duties or Sums of Money set down in Figures against the same respectively.

How Duties are to be applied.

VI. All Duties to be levied under this Act shall be paid to the Receiver for the Time being for the Police District of *Dublin* Metropolis, by all and singular the Person or Persons who shall be appointed to receive the same, at such Time or Times in each and every Year as shall be fixed and appointed by the Commissioners of Police, and shall be by him placed to the same Account and applied to the like Purposes as the other Public Monies of or belonging to the said Police District now received by and paid into the Hands of such Receiver.

The Duties fixed by this Act may be altered or abolished, with the Consent of the Lord Lieutenant or other Chief Governor.

VII. Provided always, That it shall and may be lawful for the said Commissioners, if they shall think proper, from Time to Time, in each and every Year, to alter and diminish or to annul and abolish all or any of the several Duties, Sum or Sums of Money, specified in the said Schedule (B.), or which shall hereafter under this Act be charged as Duties for and upon the respective Hackney and Stage Carriages, Job Carriages, Job Horses, and Carts, as described in the said Schedule, but so as that in case of any Alteration of the said Duties, whether the same be by Diminution or wholly annulling the same, or whether the same shall affect all or any One or more of the said Duties, such Alteration shall be approved of by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, and that wherever any of the said Duties shall be altered a Schedule of the new Duties shall, immediately after such Alteration shall have been approved of as aforesaid, be published once in the *Dublin Gazette*, and Three Times in any of the Newspapers published in *Dublin*, within Seven Days next after the Publication of the Schedule last mentioned in the *Dublin Gazette*; and the said last-mentioned Schedule, after the Expiration of such Period of Seven Days, shall be deemed and taken to be a Part of this Act in lieu of so much of the Schedule (B.) hereunto annexed, as often as any Duties shall be altered, in the Manner herein provided.

Licence to Proprietors to be applied for by Requisition in Writing.

VIII. Before any such Licence as aforesaid shall be granted, under the Provisions of this Act, a Requisition in Writing for the required Licence, in such Form as the said Commissioners shall direct, shall be made and signed by the Proprietor or One of the Proprietors of the Carriage, Cart, or Horse in respect of which such Licence shall be applied for, or, in the Case of a Body Corporate or public Company, by a public Officer thereof; and in every such Requisition there shall be truly specified and set forth whether the Licence shall be required for a Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse, and if required

required for a Job Carriage, whether it is intended the same shall be drawn by One or more than One Horse; and there shall be also truly specified and set forth the Christian Name and Surname of every Person who shall be a Proprietor or Part Proprietor of such Carriage or Cart, Horse or Horses, in respect of which such Licence shall be applied for, or, in the Case of a Body Corporate or public Company, the proper Title thereof, and in the Case of a Partnership the proper Firm thereof, and in every Case the Name of the Place of Residence or Office of Business of such Proprietor, Body Corporate, public Company, or Firm; and should such Licence be required for a Stage Carriage, there shall be set forth the fixed Route or Line of Way by which it is intended such Carriage shall proceed to its Destination; and such Requisition shall be left at such Office or Place as the said Commissioners shall direct, and shall be received as Evidence, and be deemed Proof of all Matters contained therein, as against the Party serving such Requisition; and in case any Person so applying shall wilfully neglect to specify truly in such Requisition any of the Particulars hereby required to be set forth therein, he shall forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners to revoke any Licence issued on a false Requisition: Provided always, that nothing herein shall extend to subject any Cart to a Licence on account of its being employed in bringing Hay, Straw, Corn, Vegetables, or Potatoes to Market, or Manure from Town.

Not to apply to certain Carts.

IX. Within Ten Days after such Requisition shall have been left at such Office or Place as aforesaid the said Commissioners, unless, in pursuance of the Powers by this Act vested in them in that Behalf, they reject such Application, shall endorse or cause to be endorsed upon such Requisition their Approval of the Application thereby made; and upon Payment of the Amount of Duty chargeable for such Licence the Person applying for such Licence shall be entitled to receive the same from the proper Officer authorized in that Behalf, without further Fee, Reward, or Gratuity, except the Cost of the *Dublin* Plate, to be used in the Case of any Carriage or Cart, or Horse, as herein-after mentioned; and no Licence shall in any Case be issued until the Requisition so endorsed by the Commissioners or other Officer acting on their Behalf shall have been first filed in such Office or Place as the said Commissioners shall appoint.

Approval of Commissioners to be endorsed on the Requisition, and Duty paid before Issue of Licence.

X. The said Commissioners shall and may grant Licences, under their Hands, upon the Terms and Conditions and in the Manner and Form herein-after mentioned, to keep, ply, use, or let to Hire any Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse, within the Limits of this Act; and every such Licence shall take effect from the Date thereof, and shall continue in force so long as the annual Duty payable thereupon under the Provisions of this Act, to be computed from the First Day of *January* of each Year, shall be paid in manner as herein directed, or until the same shall be voluntarily surrendered by the Party named therein, or otherwise be determined or revoked, under the Provisions of this Act; and every such Payment of Duty shall be made at an Office provided for the Purpose by the said Commissioners, in One annual Payment or in Two equal half-yearly Instalments, at a Time or Times or within a Period or Periods to be specified in such Licence as and for such Payment; and such Payment or Payments of the said annual Duty in respect of the Carriage, Cart, or Horse described in the said Licence shall be certified by the Officer duly appointed for that Purpose, whose Certificate thereof shall be received as sufficient Evidence of the Existence or Continuance in force of said Licence: Provided always, that in regard of any such Carriage it shall be lawful for the said Commissioners, if they shall think proper, to refuse to grant any such Licence, or to revoke any such Licence which may have been theretofore granted, in case it shall appear to the said Commissioners, upon Inspection or otherwise, that the Carriage, in respect of which such Licence shall be applied for or granted, or any Horse or Harness used with any such Carriage, is unserviceable or unsafe, or otherwise unfit for public Accommodation or Use, or that the Person applying for or in possession of any Licence is an unfit Person to hold the same by reason of his having been convicted of any Theft or Felony, or of his having been convicted of any Assault, or of Drunkenness, or of any Breach of the Provisions of this Act, or of the Rules, Orders, or Byelaws made in pursuance thereof; but in all such Cases of Refusal or Revocation the said Commissioners shall endorse upon or annex in Writing to such Licence or the Requisition therefor the Grounds for such Refusal or Revocation: Provided also, that

Commissioners to grant Licences to Proprietors.

Commissioners may refuse or revoke Licences.

that a Licence shall not on any Account be granted to any Person under the Age of Eighteen Years, otherwise than jointly with some Person of full Age who shall be appointed to act as Trustee, Executor, Guardian, or Administrator of the Will or Personal Estate of a Proprietor dying while licensed, and in any such Case the Trustee, Executor, Guardian, or Administrator named in the Licence shall, during the Minority of any Person or Persons named in such Licence with him, be accountable in all respects as if Proprietor of such Carriage, Cart, or Horse: Provided also, that there shall be obtained a separate and distinct Licence for using or letting to Hire every Hackney Carriage, Job Carriage, Stage Carriage, Job Horse, and Cart; but no Licence so obtained shall authorize the Use of any such Carriage or Cart in any Manner contrary to the Import of the Licence appertaining to such Carriage or Cart within the Meaning of this Act: Provided also, that in every Case in which a Licence is to be obtained the proper Duty in respect of the Carriage, Cart, or Horse, to be described therein, shall be first paid, as herein required, and shall be paid in every Year thenceforward, while in force, according to the General Regulations which the said Commissioners of Police shall require to be observed, and which they are by this Act empowered to make for the Purpose, and to prescribe in each Licence: Provided also, that every Licence to be issued under this Act shall be deemed to be an Authority only to the Person or Persons named therein, but that on the Transfer by Sale or otherwise of the Property or Ownership in any Carriage, other than a Hackney Carriage, or in any Job Horse, or Cart, for which a Licence shall be granted, or on the Admission of any Person as a Partner in the Ownership of any such Carriage, Horse, or Cart, it shall be lawful for the said Commissioners to grant, in lieu of such Licence, to any Person or Persons who shall be named in any Requisition to be addressed to them for the Purpose, a Licence to the like Effect; and that whenever it shall be agreed upon to sell or assign any licensed Hackney Carriage, or to give any Person a Share in the Ownership thereof, a Requisition for a Licence, according to such Agreement or Determination, shall be first sent to the said Commissioners, and if they shall consider the Person so proposed as Purchaser, Assignee, or Partner to be a fit Person to be licensed as a Proprietor of a Hackney Carriage, having regard to the Limitations herein made for the Purpose of preventing improper Persons from obtaining Licences, it shall then, but not otherwise, be lawful to grant, in lieu of the Licence for such Carriage then in force, a Licence to the Person or Persons named in the said Requisition; and in every such Case as aforesaid in which the Duty according to any such Licence shall have been paid for the Year or Period then present, the new Licence shall be granted without Payment of any further Duty for such Year or Period: Provided also, that in all Cases it shall be sufficient in any Proceedings under this Act to name the Proprietor or Proprietors actually licensed at the Time, and on Proof thereof such Proceedings shall extend to and include every Person concerned in the Ownership of any Carriage, Cart, or Horse, in the Use, hiring, or plying of which any Offence or Injury shall be committed.

Particulars to be specified in each Licence.

XI. There shall be specified in every such Licence to be granted as aforesaid the following Particulars, or such of them as said Commissioners shall think proper; that is to say, the true Christian Name and Surname of every Person who shall be Proprietor or Part Proprietor of the Carriage, Cart, or Horse in respect of which such Licence shall be granted, or who shall be concerned, either solely or in Partnership with any other Person, in the keeping, using, or in any way employing such Carriage, Cart, or Horse, except in the Case of a Body Corporate or public Company, when it shall be sufficient to name the public Officer thereof, also the Name of the Place or Residence or Office of Business of such Proprietor, with a correct Reference thereto, and the Number and descriptive Words painted or marked on the "*Dublin* Plate" to be delivered with such Licence, and in the Case of every Stage Carriage the Place within the Limits of this Act from which it shall first proceed on each Journey, together with the Place to which every such Stage Carriage shall so proceed, and the Route to the Destination thereof, also the greatest Number of Passengers or Persons to be conveyed by such Stage Carriage, distinguishing (when the same is intended to convey Passengers both inside and outside) the Number to be carried outside from the Number to be carried in the Inside of such Carriage; and in every Licence there shall be specified a Period or Periods of Time, to be fixed by the said Commissioners, within which Payment of Duty shall be made, as herein-before required; and every Licence shall bear Date on the

the Day and Year during which the same shall be granted, and shall be produced to the said Commissioners at all Time and Times, and from Time to Time, as the same shall be required or ordered by the said Commissioners to be produced.

Entries of all Licences to be made in a Book to be kept in the Office of the Commissioners, and certified Extracts to be Evidence in all Proceedings for Penalties or otherwise.

XII. The Particulars of every Licence which shall be granted under any of the Provisions of this Act, and of all Endorsements thereupon, shall be entered, in such Manner and Form as the said Commissioners of Police shall direct, in a Book or Books to be kept at the Office of said Commissioners; and in all Courts, and before any Justice, and upon all Occasions whatsoever, an Extract from or a Copy of any of the Entries made or contained in such Book or Books, certified under the Hand of the principal Officer in charge thereof, in Presence of the Person who shall produce and verify the same, shall be received as Evidence and be deemed to be sufficient Proof of all Matters and Things registered and contained in any such Book relating to any such Licence as aforesaid, without requiring the Production of any such Book, or of the original Licence, or of any Requisition, Notice, or other Document upon which any such Entries may be founded, and without any further Proof than the Production of the certified Extract or Copy aforesaid.

Penalty on Persons procuring Licences in a fictitious Name.

XIII. If any Person, for the Purpose of procuring any Licence under any of the Provisions of this Act, shall use or employ any false or fictitious Name or Place of Abode, or other false or fictitious Description of any Person or supposed Person, or shall wilfully or knowingly insert or cause to be inserted in any Requisition for any such Licence, or in any such Licence, any false or fictitious Name or Place of Abode, or other false or fictitious Description of any Person or supposed Person, or shall wilfully or knowingly insert or cause to be inserted in any such Requisition or in any such Licence as aforesaid the Name of any Person as being a Proprietor or Part Proprietor of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse, who shall not at the Time of the Application for such Licence be in fact such Proprietor or Part Proprietor thereof respectively, the Person so offending shall be guilty of a Misdemeanor, and being convicted thereof he shall forfeit such Sum not exceeding Forty Shillings, or suffer an Imprisonment in the Common Gaol or House of Correction for such Term of Time not exceeding Two Months, and either with or without Hard Labour, as the Court shall think fit and adjudge; and the Licence shall be revoked.

Notice to be given of Change of Place named in Licence and Change to be endorsed.

XIV. As often as the Place named in any Licence to be granted under this Act as the Place of Residence or Office of Business of such Proprietor or Proprietors as aforesaid shall be changed, the Proprietor or One of the Proprietors thereby licensed shall, within Four Days next after such Change, give Notice thereof in Writing, signed by him, to the said Commissioners, and to be delivered at the Office which shall be appointed by them as the Place at which Licences shall be issued; and in such Notice there shall be specified the new Place of Residence or Office of Business of such Proprietor or Proprietors, and such Proprietor shall at the same Time produce such Licence at the said Office, whereupon an Officer duly authorized thereto shall endorse thereon and sign a Memorandum specifying the Particulars of such Change, and in the Case of every Stage Carriage shall in like Manner notify for Endorsement any Change required to be made in the Route of such Carriage to the Destination named therein; and if any Person named in any such Licence as the Proprietor or One of the Proprietors of any such Carriage or other Property as aforesaid shall neglect or omit to give Notice of any such Change, or to produce such Licence, in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner herein limited, he shall forfeit a Sum not exceeding Forty Shillings; and if any of the Particulars entered or endorsed upon any such Licence, in pursuance of the Directions of this Act, shall be erased or otherwise defaced, every such Licence shall be wholly void and of none Effect.

Penalty for Neglect, 40s.

Commissioners to issue Plates with Licences.

XV. The said Commissioners shall, at the Time of granting a Licence for any such Carriage, Cart, or Job Horse, deliver to the Person or Persons applying for such Licence a numbered Plate, upon which there shall be painted or marked, in such Manner as the said Commissioners shall direct, a Number corresponding with the Number which shall be inserted in such Licence, together with such Letter, Word, or other Device or Devices (if any)

any) as the said Commissioners shall think fit to cause to be painted or marked thereon according to the Nature of the Licence granted; and such Plate shall be known and distinguished from all other Plates, Labels, and Marks required by this Act, or which the said Commissioners are hereby authorized to require, by the Name of the *Dublin* Plate.

A Fee of 1*s.* to be paid for every Dublin Plate.

XVI. There shall be charged upon and in respect of every such Plate to be issued under the Authority of this Act a Sum of One Shilling, to be paid to the Officer duly appointed to issue such Plate, and to be applied by the Receiver of the *Dublin* Metropolitan Police, after Payment of the Expense of such Plate, to the Funds of the Police Establishment.

Plates to be delivered up on Expiration of Licences.

XVII. Whenever any Licence granted under this Act with which a *Dublin* Plate is hereby directed to be delivered shall be revoked by the said Commissioners, or whenever the Amount of Duty payable in respect thereof shall not be duly paid at the Time or within the Period as herein-before required, the Licence so revoked or in respect of which the Duty shall not have been paid as aforesaid, and the *Dublin* Plate corresponding to the Number mentioned therein, shall be delivered up to the said Commissioners; and every Person in whose Possession the Carriage, Cart, or Horse specified in any such Licence shall be who shall neglect or refuse so to deliver up such Plate within Three Days after the Revocation of such Licence, or the Expiration of the Time or Times, Period or Periods in any Year, fixed for the Payment of the Duty in respect thereof, as aforesaid, shall forfeit a Sum not exceeding Forty Shillings.

New Dublin Plates to be delivered in lieu of those defaced or lost.

XVIII. Whenever the Number of any *Dublin* Plate shall become obliterated or defaced, so that the same shall not be distinctly visible and legible, and also whenever any such Plate shall be proved to the Satisfaction of the said Commissioners to have been lost or mislaid, the Person to whom the Licence relating to any such Plate shall have been granted shall surrender and deliver up such Plate (if he shall have the same in his Possession), and shall produce such Licence to the said Commissioners or their proper Officer, for Endorsement, and such Person shall then be entitled to have a new Plate delivered to him in lieu of the Plate so delivered up, or lost or mislaid, upon the Payment of the Sum of One Shilling for each Plate, and such new Plate may bear the same or a different Number, as to the said Commissioners may seem fit; and in all Cases, in order to allow Time for the Manufacture or procuring of any *Dublin* Plate, it shall and may be lawful for the said Commissioners, in their Discretion, or their proper Officer, on the Payment of the said Sum, and according to the Exigency of the Case, to grant a printed or written Permission to the Person or Persons named in the Licence relating to such *Dublin* Plate to use or ply for Hire without a *Dublin* Plate being affixed thereto, and for such Time as the said Commissioners shall deem requisite, any Carriage, Cart, or Job Horse for which such Plate shall be required: Provided always, that if any Plate which shall have been proved as aforesaid or represented to have been lost or mislaid shall afterwards be found, the same shall forthwith be delivered up to the said Commissioners or their proper Officer; and if any Person into whose Possession any such Plate as last aforesaid shall be or come shall refuse or neglect for the Space of Three Days to deliver up the same to the said Commissioners or their proper Officer, or if any Person licensed under the Authority of this Act shall use the Plate granted to him after the Number thereon shall be in any Manner obliterated, defaced, or obscured, so that the same shall not be distinctly visible and legible, he shall for every such Offence forfeit any Sum not exceeding Forty Shillings, and it shall be lawful for any Constable or Police Officer, without Warrant, to seize and take away any such Plate, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners shall direct.

Penalty for not delivering up lost Plate when found, or for using a Plate after it has been defaced, 40*s.*

Drivers of Carriages, Carts, &c., without Plates, may be apprehended, and Carriages or Carts may be detained.

XIX. It shall be lawful for any Constable or Officer of the *Dublin* Police, without any Warrant for that Purpose, to apprehend, within the Limits of this Act, the Driver or other Person plying for Hire with or having the Care of any Hackney Carriage, Job or Stage Carriage, Cart, or Job Horse, on which the Plates and Marks required under the Provisions of this Act shall not be affixed, and to convey him before any Justice; and it shall also be lawful for such Constable or Police Officer to drive or take the Carriage, Cart, or Horse not having such Plates and Marks as aforesaid, or any Carriage, Cart, or Horse which shall be subject to a Licence by virtue of this Act which shall be found plying or employed contrary to the Intent and Meaning of this Act, with the Horse or Horses harnessed to such Carriage

or

or Cart, or drawing the same, or to cause the same to be driven or taken to some Livery Stables or other Place of Safety, and there to lodge the same until the Determination of such Justice shall be known, and the Justice before whom such Driver or other Person shall be brought shall hear and determine such Offence; and in case of a Conviction, if the Penalty inflicted, together with the Costs and Expenses, and the Expenses of taking such Carriage or Cart and Horse and Horses to and keeping the same at such Yard, Livery Stables, or other Place shall not be fully paid or discharged within Five Days after such Conviction, such Carriage or Cart and Horse or Horses, and also the Harness used therewith, shall be sold, by Order under the Hand of such Justice, and the Surplus, if any, of the Produce of such Sale shall, after deducting therefrom the said Penalty, Expenses, and Costs, and the Expenses of such Sale, be rendered to the Proprietor of such Carriage or Cart.

Carriages having Dublin Plates to be deemed Hackney, &c., according to the Evidence of Plate.

XX. In any Complaint or other Proceeding for the Recovery of any Penalty incurred under this Act in respect of or with relation to any such Carriage or Cart, if Evidence shall be given that the Carriage or Cart in respect of which or in any Manner relating to which any such Proceeding shall be commenced or prosecuted was seen having thereon any *Dublin* Plate by this Act directed to be fixed upon such Carriage or Cart respectively, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, such Carriage or Cart shall be deemed and taken to be a Hackney Carriage, Stage Carriage, Job Carriage, or Cart, according to the descriptive Letter, Word, or other Device or Devices appearing on such Plate, and such Evidence as aforesaid shall be received as sufficient Proof that such Carriage or Cart was kept for Use or let to Hire as such Carriage or Cart respectively, according to the Purport of the said Plate within the Meaning of this Act; and that in all such Proceedings as aforesaid the Person named or described in the Licence granted with or relating to the Number of the *Dublin* Plate fixed or placed upon such Carriage or Cart, whether such Licence shall be in force or not, shall for the Purposes of this Act be deemed to be the Proprietor of such Carriage or Cart, unless the contrary be proved.

Forgery of any Licence or Dublin Plate .. Misdemeanor.

XXI. If any Person shall forge or counterfeit, or shall procure to be forged, counterfeited, or resembled, any Licence to be granted as aforesaid, or any *Dublin* Plate by this Act directed to be provided for the Purpose of being fixed upon Hackney Carriages, Job Carriages, Stage Carriages, Carts, or Job Horses, or if any Person shall wilfully fix or place, or cause or permit or suffer to be fixed or placed, upon any Carriage, Cart, or Job Horse any such forged or counterfeited Plate as aforesaid, or if any Person shall make or cause to be made, sell, or exchange or bestow, or expose to Sale or utter, any such forged or counterfeited Plate, or if any Person shall knowingly, and without any lawful Excuse, the Proof of which shall be on the Person accused, have or be possessed of any such forged or counterfeited Plate, every Person so offending, and every Person knowingly and wilfully aiding, abetting, or assisting any Person in committing any such Offence as aforesaid, shall be adjudged guilty of a Misdemeanor, and being thereof convicted shall be punished by Imprisonment in the Common Gaol or House of Correction for a Term not exceeding Two Months, and either with or without Hard Labour, as the Court shall think fit; and it shall be lawful for any Constable or Police Officer, without Warrant, to seize and take away any such Plate, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners of Police shall think proper.

Commissioners empowered to recall Dublin Plates for the Purpose of being changed.

XXII. Whenever, in the Opinion of the said Commissioners, it shall be expedient to recall any *Dublin* Plate, for the Purpose of changing the same for any other *Dublin* Plate bearing the same or a different Number, the said Commissioners shall cause Notice to be given to the Person or to any One of the Persons to whom the Licence relating to such Plate shall have been granted, signifying that the said Commissioners do thereby recall such Plate; and the Person or Persons to whom such Licence shall have been granted shall, within One Week after such Notice, deliver up such Plate, and produce the Licence relating to the same, to the said Commissioners, or to their Officer appointed to issue Licences and Plates, and also apply to the said Commissioners for a new Plate, and thereupon the said Commissioners or such Officer shall deliver to the Person so applying for the same, at the Expense of the Applicant, a new *Dublin* Plate, in lieu of the Plate so recalled; and if any new Plate issued under the Provisions of this Act shall bear a Number different from the Number mentioned in

in the Licence belonging thereto, the said Commissioners or such Officer as aforesaid shall endorse upon such Licence a Memorandum of the granting of such new Plate, with the Number thereof, and from thenceforth such Licence shall be deemed to relate to such new Plate, in the same Manner as if the Number thereof had been originally inserted in the Body of such Licence; and if any Person shall not, within One Week after Notice given to him in the Manner herein directed, deliver up the Plate mentioned in such Notice according to the Terms thereof, and produce the Licence relating to such Plate, and apply for a new Plate, and fix such new Plate upon his Carriage or Cart, as the Case may be, in such Place and Manner as the said Commissioners shall direct, he shall forfeit a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners, if they shall think proper, to revoke the Licence to which such Plate shall relate: Provided always, that if it shall appear to the said Commissioners that the Number upon such Plate so delivered up as aforesaid shall have been wilfully obliterated or rendered illegible by any other Means than by regular and proper Use and Wear thereof, it shall be lawful for the said Commissioners to refuse to deliver any Plate in lieu of the Plate so surrendered and delivered up as aforesaid, unless the Person applying for the same shall also surrender and deliver up the Licence relating to such surrendered Plate, and shall take out and pay for a new Licence relating to the Plate to be delivered in lieu thereof.

Commissioners to give Notice of Revocation of Licence.

XXIII. Whenever the said Commissioners shall revoke any Licence granted under the Authority of this Act to the Proprietor of any Hackney Carriage, Job or Stage Carriage, Job Horse, or Cart, or the Licence of any Driver or Conductor licensed under this Act, they shall forthwith cause a Notice of such Revocation, in such Form as they shall think fit, and signed by any One of them, to be given to the Person named in such Licence as the Person licensed, or left for him at the Place mentioned in such Licence as the Place of his Abode; and in case he shall have quitted such Place, or the same shall be a false or fictitious Place of Abode, then the said Commissioners shall cause such Notice to be posted up in some public Place at the Office appointed for the Issue of such Licences, which shall be deemed a good and sufficient Notice of such Revocation to all Intents and Purposes.

Plates may be seized where the Licence is discontinued or revoked, or where the same are used without Licence.

XXIV. In any Case where any such Licence shall have been discontinued or revoked, or where any such Licence shall have become null and void, under the Provisions of this Act, and the numbered Plate or Figure in respect of the same shall not have been delivered up to the said Commissioners or their proper Officer, or where any Hackney Carriage, Job or Stage Carriage, Horse, or Cart Plate shall have been recalled by the said Commissioners, and the same shall not have been delivered up as by Law required, and in any Case where any Hackney Carriage or other such Plate shall be in the Possession of or be used by any Person who shall not have a Licence in force relating to the same, it shall be lawful for any Constable to seize and take away any such Plate, wheresoever the same may be found, in order to deliver the same to the said Commissioners; and for the Purpose of seizing and taking away any such Plate, or any forged or counterfeit Plate, it shall be lawful for any such Constable to stop any Carriage or Horse upon which the same may be; and any Person who shall molest, obstruct, or hinder any such Constable in seizing or endeavouring to seize or take away any such Plate shall forfeit the Sum of Five Pounds; and if in any such Case where any such Plate shall be found in the Possession of any Person who shall not have a Licence in force relating to the same, it shall appear to the Satisfaction of the said Commissioners that the said Plate is or was so possessed by such Person for the Purpose of being used, or that such licensed Person had parted with the same for the Purpose of being used by any other Person, contrary to the Provisions of this Act, and also in any Case where any Plate shall have been recalled as aforesaid and not delivered up, it shall be lawful for the said Commissioners, if they shall think proper, to revoke the Licence to which such Plate shall relate.

Penalty for obstructing Officer, 5*l.*

Licences may be revoked in certain Cases.

No Person to let to Hire any unlicensed Carriage, &c.

XXV. It shall not be lawful for any Person to use or let to Hire any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse, at any Place within the Limits of this Act, unless such Person shall have a Licence in force for the same under the Hands or Hand of the said Commissioners or One of them, nor unless there shall be fixed on such Carriage and Cart, and upon the Harness of every such Job Horse respectively, in such Place and Manner as the said Commissioners shall in relation thereto respectively from Time to Time order

order and direct, the *Dublin* Plate belonging to or corresponding with every such Licence respectively, and likewise all and every such other Plates, Labels, and Marks as the said Commissioners shall think proper to be fixed, painted, or marked thereon, pursuant to the Provisions herein-after in that Behalf contained; and if any Person shall use or let to Hire, or shall be concerned, as Proprietor or Part Proprietor, in using or letting to Hire, at any Place within the Limits of this Act, any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or any Job Horse, without having a Licence in force for the same, or without having paid the annual Duty for such Licence, in manner as by this Act provided, or without having such Plate fixed as aforesaid, such Person shall forfeit as a Penalty for every such Offence a Sum not exceeding Ten Pounds for every Carriage, Cart, or Horse so used or let to Hire as aforesaid: Provided always, that nothing herein contained shall interfere with the Power herein-before given to the said Commissioners, at their Discretion, to grant a written or printed Permission to any Person to use or ply for Hire any Carriage, Cart, or Horse without a *Dublin* Plate being affixed thereto, where such Permission shall be deemed necessary by the said Commissioners: Provided also, that it shall not be necessary in any Case where any Carriage, and Horse or Horses, are used or let for Hire, that there shall be a Licence for such Carriage or for such Horse or Horses separate and distinct from each other respectively, but that One Licence shall be deemed sufficient to authorize the using and letting for Hire of any such Carriage and Horse or Horses.

Penalty on keeping for Use, or letting to Hire, any Hackney, &c. Carriage, Cart, or Job Horse, without Licence.

XXVI. The Proprietor or Driver of every Carriage licensed under the Provisions of this Act, wherein any Property whatever shall be left by any Person hiring or using the same, shall, within Twenty-four Hours next after the same shall have been so left, restore such Property, in the State in which the same shall have been found, to the Owner thereof, or if the Owner cannot be traced within said District, shall convey the Property to the Office of the said Commissioners, or if found in any Carriage usually employed in conveying Passengers to and from the Stations of the *Dublin and Kingstown* Railway outside the City of *Dublin*, thence to the Police Station nearest to the Railway Station at which such Carriage shall take up and set down Passengers, and shall in such Places respectively deposit such Property; and if any Proprietor or Driver shall make any Default herein he shall forfeit a Sum not exceeding Forty Shillings, and such further Sum as shall, in the Judgment of the Justice before whom Complaint shall be made, appear to be a reasonable Compensation for such Property, if the same shall not be restored, and which Compensation shall be recoverable in like Manner as a Penalty under this Act, and be payable to the Owner of the Property detained; and when any such Property shall be found and duly deposited as aforesaid, the Officer receiving the same shall forthwith give an Acknowledgment to the Depositor, and make an Entry and Return thereof, according to the Regulations of the said Commissioners, which they are hereby required to make, for the Custody, Restoration, or Disposal of all such Property; and the Property so deposited shall be returned to the Person who shall prove Ownership to the Satisfaction of the said Commissioners, such Person previously paying all Expenses incurred, together with such Sum to the Person who shall have been actually driving the Carriage, or shall have been employed in or about it, and, having found the Property, shall deposit the same as herein directed, as with reference to the Value of the Property the said Commissioners shall award: Provided always, that if any Property so found and deposited shall not be claimed by some Person proving Ownership as aforesaid within One Year after the Date of Deposit (the Property having been advertised in such Manner as the said Commissioners may direct), such Property shall be, in default of such Claim within the Time so limited, sold or otherwise disposed of, and the Proceeds thereof paid over to the said Receiver, to be carried to the Account of Monies for defraying the Expenses of the Police Establishment of the said District of *Dublin* Metropolis, after deducting such Sum as the Commissioners may award to the Person who shall have been actually driving the Carriage, or shall have been employed in or about it, and having found the Property shall deposit the same as herein directed: Provided also, that nothing herein shall be deemed to extend to Property found in a Stage Carriage at any Place not within the Limits of this Act.

Property left in licensed Carriages to be deposited at Police Station.

XXVII. On the Application of the Minister or Churchwardens of any Church, Chapel, or other Place of Public Worship within the Police District of *Dublin* Metropolis to the said Commissioners,

Commissioners may regulate the Route and

Conduct of Persons driving Carriages, Cattle, &c. during the Hours of Divine Service.

Commissioners, it shall be lawful for the said Commissioners to make Orders for regulating the Route and Conduct of Persons who shall drive any Carriage, Cart, or other Vehicle, within such Parish or Place, during the Hours of Divine Service on *Sunday*, *Christmas Day*, *Good Friday*, or any Day appointed for a Public Fast or Thanksgiving; and any Orders which shall be so made shall be printed and affixed on or near the Church, Chapel, or Place of Public Worship to which the same shall refer, and in some conspicuous Places leading to and contiguous thereto, and elsewhere, as the said Commissioners shall direct; and every Breach of any such Order shall be deemed a separate Offence.

Commissioners to make Regulations for preventing Obstructions by Carriages, &c. in the Phœnix Park, &c.

XXVIII. It shall be lawful for the said Commissioners from Time to Time and as Occasion may require to make Regulations for the Route to be observed by all Carriages, Carts, or other Vehicles, Horses, and Persons, and for preventing disorderly Conduct, Contention, Obstruction, or accidental or intentional Damage within Her Majesty's Park of the *Phœnix*, or upon the Roads, Thoroughfares, and Passages therein or thereto adjoining, and also to give Directions to the Constables of said District for keeping Order, and for preventing Obstructions of the Roads and Thoroughfares in the immediate Neighbourhood thereof, and in any Case when the said Roads or Thoroughfares may be thronged, or may be liable to be obstructed, and for preventing disorderly Conduct, Contention, Obstruction, or accidental or intentional Damage in the said Park of the *Phœnix*.

Commissioners may make Regulations for preventing Obstructions in the Streets, &c.

XXIX. It shall be lawful for the said Commissioners from Time to Time and as Occasion shall require to make Regulations for the Route to be observed by all Carriages, Carts, or other Vehicles, or Horses and Persons, and for preventing Obstruction of the Streets and Thoroughfares within the said District, and also to give Directions to the Constables for keeping Order, and for preventing any Obstruction of the Thoroughfares in the immediate Neighbourhood of any Place or Places of public Resort, and in any Case when the Streets or Thoroughfares may be thronged or may be liable to be obstructed.

Proof of Publication of Rules sufficient Notice.

XXX. Proof upon Oath that a Copy of any such Regulations made by the Commissioners has been published in any daily Newspaper in the City of *Dublin*, or that such Regulations have been printed and posted in the Vicinity of any public Place to which the same shall refer, previously to the Time fixed for the Observance of same, shall be deemed sufficient Evidence of such Regulations, and of all Persons concerned having Notice thereof.

When Proprietors not liable to Penalties for deviating from Route.

XXXI. No Proprietor of any Stage Carriage duly licensed to carry Passengers for Hire shall be liable to any Penalty for any Deviation from the Route or Line of Route specified in his Licence which the Driver of such Stage Carriage shall make by virtue of any Regulations or Direction made or given by the said Commissioners.

Compensation for Hurt or Damages.

XXXII. In every Case where any Hurt or Damage shall have been caused by the Negligence, wilful Misbehaviour, or other Misconduct of the Driver of any Carriage or Vehicle of any Kind whatsoever, or of the Person in charge thereof, or in charge of any Horse within the Limits of this Act, every Person so offending shall further pay such a Sum as shall appear to the Justice to be a reasonable Compensation to the Person so aggrieved or injured, and the Evidence of such Person shall be admitted in proof of the Offence: Provided always, if the Person so aggrieved or injured shall have been the only Witness examined in proof of the Offence, such Sum so ordered as Compensation shall be paid and applied in the same Manner as a Penalty, and in default of Payment of such Penalty and of such Compensation, if ordered, together with the Costs attending such Conviction, immediately or within such Time as such Justice shall appoint, such Justice shall and may commit such Offender to the Common Gaol or House of Correction, to be there imprisoned for any Term not exceeding Two Months, unless such Penalty, together with the Costs and Compensation, if ordered, be sooner paid; and every such Offender shall and may by the Authority of this Act, with or without any Warrant, be apprehended by any Person who shall see such Offence committed, and shall be immediately conveyed or delivered to a Constable, in order to be conveyed before some Justice.

Penalty on Persons acting as Drivers, &c. without having

XXXIII. It shall not be lawful for any Person to act as a Driver of any Hackney or other Carriage as aforesaid, or of any Job Horse, or as Driver or Conductor of any Stage Carriage, whether such Person shall or shall not be the Proprietor of such Carriage or Horse within the

the Limits of this Act, unless in each Case such Person shall have a Licence so to do, and a numbered Badge granted to him under the Authority of this Act and remaining in force; and every Person who shall act as such Driver or Conductor without such Licence and Badge, and also every Person to whom a Licence and Badge shall have been granted, who shall sell or exchange, bestow or transfer, or let upon Hire such Licence, or permit any other Person to use or wear such Badge, shall for every such Offence forfeit a Sum not exceeding Forty Shillings; and every Proprietor who shall knowingly suffer any Person not duly licensed under the Authority of this Act to act as Driver of any Hackney or other Carriage as aforesaid, or as Driver or as Conductor of any Stage Carriage of which he shall be the Proprietor, shall for every such Offence forfeit a Sum not exceeding Forty Shillings: Provided always, that nothing herein-before contained shall subject to any Penalty any Proprietor who shall employ any unlicensed Person to act as such Driver or Conductor as aforesaid for any Time not exceeding Twenty-four Hours, or any unlicensed Person who shall be so employed for the said Time, upon Proof being adduced by the Proprietor to the Satisfaction of the Justice before whom such Proprietor, Driver, or Conductor shall be required to attend to answer for such Offences respectively that such Employment was occasioned by unavoidable Necessity; and that every Proprietor who shall so employ such unlicensed Driver or Conductor, and every such unlicensed Driver or Conductor, shall be subject to all the Powers, Provisions, and Proceedings of and under this Act for any Act done by such Driver or Conductor during such Employment in like Manner as if such Driver or Conductor had been duly licensed.

Licence and Badge;

and on Proprietors suffering Persons to act as Drivers or Conductors not being licensed.

Proviso as to Persons being employed temporarily.

XXXIV. When any Complaint, verbal or written, shall be made before any Justice against the Driver of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or of any Job Horse or Horses, or any Person having the Care thereof or plying for Hire therewith respectively, for any Offence committed by him against any of the Provisions of this Act, such Justice shall forthwith summon the Proprietor of such Carriage, Cart, Horse or Horses, and by the said Summons require the said Proprietor personally to be and appear, and to produce such Driver or other Person so complained against, together with the Licence and Badge (if any) theretofore granted to said Driver, to answer such Complaint, and for such Purpose every Proprietor who shall obtain any Licence under this Act, and who shall permit or employ any licensed Person to act as a Driver of any such Carriage or Horse, or as a Conductor of any such Stage Carriage, shall require to be delivered to him and shall retain in his Possession the Licence of such Driver or Conductor while such Driver or Conductor shall remain in his Service; and if any such Proprietor being duly summoned shall neglect or refuse personally to appear, or to produce such Driver or other Person so complained against, together with the said Licence and Badge, according to the Exigency of such Summons, without a reasonable Excuse to be allowed by the Justice before whom he and the said Driver ought to appear according to such Summons, such Proprietor shall forfeit a Sum not exceeding Forty Shillings, and so from Time to Time as often as he shall be so summoned until such Driver or other Person so complained against shall be produced by him to answer such Complaint: Provided always, that if such Proprietor shall neglect or refuse to appear or produce such Driver or other Person so complained against, together with the said Licence and Badge, in obedience to any Summons requiring him so to do, without a reasonable Excuse to be allowed as aforesaid, it shall be lawful for such Justice to proceed to hear and determine the said Complaint in the Absence of the said Proprietor and Driver or other Person complained against, or either of them, and upon Proof of such Offence by the Oath of One or more than One credible Witness to give Judgment against such Proprietor for a Penalty not exceeding Forty Shillings, and thereupon the said Justice is required to cause a Return of the said Judgment to be made forthwith to the said Commissioners, or to a Person duly authorized by them to receive the same.

Proprietors to be summoned to appear and produce Drivers and their Licences, &c.

XXXV. In case of any Dispute between the Proprietor of any Hackney Carriage, Job Carriage, Stage Carriage, Cart, or Job Horse kept for Use or let to Hire within the Limits of this Act, and the Driver of any such Carriage, Cart, or Horse, or any Person having the Care thereof, or plying for Hire therewith, respectively, as to any Matter relating to or connected with the Business or Employment of such Driver or Proprietor, then upon Complaint made before any Justice by such Proprietor against such Driver or other Person as aforesaid,

Justices to determine Disputes between Proprietors and Drivers.

aforesaid, or by such Driver or other Person as aforesaid against such Proprietor, such Justice shall inquire into and determine the same, and shall award and order such Compensation, whether the same shall be demanded by way of Wages or otherwise, to be made to either Party as to such Justice shall seem proper; and in case of Nonpayment of the Amount of the Compensation so ordered by such Justice within Seven Days after the same shall be so awarded, such Justice shall cause the same to be levied by Distress and Sale of the Goods of the Party refusing or neglecting to make Payment thereof.

Agreements between Drivers, &c. and Proprietors to be in Writing.

XXXVI. It shall not be lawful either in any Court of Law or before any Justice to enforce the Payment of any Sum of Money claimed from any Driver or Conductor by any Proprietor on account of the Earnings of any Hackney Carriage or other Carriage as aforesaid, or Stage Carriage, or by reason of any Neglect or personal Misconduct of such Driver or Conductor, unless under an Agreement in Writing which shall have been signed by such Driver or Conductor in the Presence of a competent Witness.

Proceedings with respect to Licences on quitting Service.

XXXVII. When any licensed Driver or Conductor shall leave the Service of any Proprietor, such Proprietor shall, upon Demand thereof, return to him his Licence: Provided always, that if the said Proprietor shall have any Complaint against the said Driver or Conductor, it shall be lawful for such Proprietor to retain the Licence for any Time not exceeding Two Days after the Demand thereof, and within that Time to apply to the Police Court of the District in which the said Proprietor shall dwell for a Summons against him; and the said Proprietor at the Time of applying for the Summons shall deposit the Licence with the Clerk of such Police Court or Justice; and in case any Proprietor who, upon Demand thereof, shall have refused or neglected to deliver to any Driver or Conductor his Licence, shall not within Two Days, exclusive of *Sunday*, or any Day on which the Police Court shall not sit, apply for such Summons, and deposit the Licence as aforesaid, or shall not appear to prosecute his Complaint at the Time mentioned in the Summons, it shall be lawful for such Driver or Conductor to apply at the same Police Court, or to some Justice as aforesaid, for a Summons against such Proprietor; and upon hearing and deciding the Case the Justice, if he shall think there was no just Cause for detaining the Licence, or that there has been needless Delay on the Part of the Proprietor in bringing the Matter to a hearing, shall have Power to order the said Proprietor to pay such Compensation to the said Driver or Conductor as the said Justice shall think reasonable, and Payment of such Compensation shall be enforced in the same Manner as any Penalty may be enforced under the Provisions of this Act; and the Justice shall cause the Licence to be delivered to the said Driver or Conductor, unless any Misconduct shall be proved against him by reason whereof the Justice shall think that such Licence shall be revoked or suspended; and so long as any Proprietor shall neglect to apply for such Summons and deposit the Licence after such Demand thereof as aforesaid, any Justice may in like Manner from Time to Time order Compensation to be paid by him to the same Driver or Conductor; and no Proprietor shall, under any Pretence or by virtue of any Claim whatever, retain beyond the Time aforesaid the Licence of his Driver or Conductor.

Driver to deliver a Ticket to Hirer of Carriage.

XXXVIII. Every Driver of a Hackney Carriage within the Limits of this Act shall, on each Occasion when such Carriage shall be hired, deliver, if required, to the Hirer thereof a Card, on which shall be printed, in legible Letters and Figures, the Words "Hackney Carriage," and the Number of the *Dublin* Plate fixed on such Hackney Carriage, or such other Words or Figures as the said Commissioners of Police may direct.

Penalty on Drivers of Hackney Carriages refusing to hire, or exacting more than legal Fare.

XXXIX. If the Driver of any Hackney Carriage shall, on Tender of the legal and proper Fare, refuse to go with any Person desirous of hiring such Carriage to any Place within the Limits of this Act, or to any Place within Ten Statute Miles of the General Post Office in the City of *Dublin*, or shall, when conveying any Person for Hire, occupy more than Ten Minutes in performing the Distance of any One Mile, except by the express Desire of such Person, or in case of Accident or Obstruction, or if the Driver of any Hackney Carriage shall exact or demand for the Hire thereof more than the legal and proper Fare, the Person so offending in any Case shall forfeit for such Offence a Sum not exceeding Forty Shillings.

XL. Every

XL. Every Carriage having thereon the *Dublin* Plate required by this Act to be fixed on Hackney Carriages which shall be found standing in any Street or Place within the Limits of this Act, or within Ten Statute Miles of the General Post Office in the City of *Dublin*, having a Horse harnessed thereto, and being equipped for Use, shall, unless actually hired, or unless such Driver have a reasonable Excuse to be allowed by the Justice before whom the Matter shall be brought in question, be deemed to be plying for Hire, although such Hackney Carriage shall not be on any Standing or Place usually appropriated for the Purpose of Hackney Carriages standing or plying for Hire; and the Driver of every such Hackney Carriage which shall not be actually hired shall be obliged and compelled to go with any Person desirous of hiring such Hackney Carriage to any Place within the Limits of this Act, or to any Place within Ten Statute Miles of the General Post Office in the City of *Dublin*; and upon the hearing of any Complaint against the Driver of any such Hackney Carriage who shall refuse Hire on Tender of the legal Fare he shall be obliged to adduce Evidence of having been and of being actually hired at the Time of such Refusal, and in case he shall fail therein he shall forfeit a Sum not exceeding Forty Shillings.

Hackney Carriages found in any Street to be deemed plying for Hire.

Driver refusing Fare, Penalty 40*s*.

XLI. If the Driver of any Hackney Carriage shall in civil and explicit Terms declare to any Person desirous to hire such Hackney Carriage that it is actually hired, and shall afterwards, notwithstanding such Reply, be summoned to answer for his Refusal to carry such Person in or upon the said Hackney Carriage, and shall upon the hearing of the Complaint produce sufficient Evidence to prove that such Hackney Carriage had been previously hired by an actual and *bonâ fide* Engagement for a Period of Time then to come, which Engagement could not have been fulfilled if the Carriage had been let to Hire to the Person so complaining, and it shall not appear that the said Driver used uncivil Language, or that he improperly conducted himself towards the Person complaining, or in case such Person so complaining shall not appear at the Time and Place specified in such Summons for the hearing thereof, the Justice before whom such Complaint shall be heard or such Default of Appearance shall be made shall order the Person who shall have summoned such Proprietor or Driver to make to him such Compensation for his Loss of Time in attending to make his Defence to such Complaint as such Justice shall deem reasonable, and in default of Payment thereof within Seven Days after the making of such Order shall cause the same to be levied by Distress and Sale of the Goods of the Person adjudged to owe such Compensation.

Compensation to be made to Party improperlysummoned for refusing to hire.

XLII. If the Proprietor of any Hackney Carriage, or any Person usually acting for the Proprietor or the Driver of such Carriage, shall agree beforehand with any Person requiring such Carriage to accept any Sum less than the proper Rate of Fare allowed by Law, and such Proprietor, Person, or Driver shall nevertheless exact or demand subsequently for the said Carriage on such Occasion more than the Sum agreed for, the Proprietor, or if such Exaction or Demand shall be made by the Driver, then the said Driver, shall forfeit a Sum not exceeding Forty Shillings for such Offence.

Penalty for demanding, in any Case, more than Sum agreed for.

XLIII. No Agreement whatever made with the Proprietor or Driver of any Hackney Carriage for the Payment of more than his proper Fare as fixed or limited by Law shall be binding or held to authorize any Overcharge whatsoever; and in case any Person shall be required to pay and shall pay to the Proprietor or Driver of any Hackney Carriage, whether in pursuance of an Agreement or not, any Sum exceeding the proper Fare, the Person paying the same shall be entitled, on Complaint made against such Proprietor or Driver before any Justice, to recover back the Sum paid beyond the proper Fare; and moreover such Proprietor or Driver shall forfeit, as a Penalty for such Exaction, a Sum not exceeding Forty Shillings; and in default of the Repayment thereupon of such Excess of Fare, or of Payment of the said Penalty, the Amount of such Excess and of such Penalty or of both, as the Case may be, shall be levied by Distress and Sale of the Goods of the Proprietor of such Hackney Carriage: Provided always, that if the Exaction in any such Case shall appear to have been made by a Driver he shall be responsible to the Proprietor for the Amount of the Exaction and the Penalty, which shall be recoverable from him in the Manner herein-before provided for Recovery by Proprietors of Penalties paid for Drivers.

Agreement to pay to Driver more than legal fare not binding.

Extra Sum so paid may be recovered.

XLIV. It shall and may be lawful for any Person to require the Driver of any Hackney Carriage to drive such Hackney Carriage for a stated Sum of Money a Distance, in the Discretion

Drivers not to charge more than Sum

agreed for, when the Distance stated shall be exceeded without Direction.

Discretion of the Driver, the Fare for which shall be the Worth or Value of the Sum so stated, without specifying any Place at which he is to stop; and in case the said Driver shall exceed such Distance without Authority or Direction for so doing, and shall exact or demand more than the Sum for which he was so engaged to drive, he shall forfeit a Sum not exceeding Forty Shillings for such Offence.

Deposit to be made for any Hackney Carriage kept waiting.

XLV. When any Hackney Carriage, hired and taken to any Place, shall be required to be kept there in waiting, it shall be lawful for the Driver to demand and receive a reasonable Sum as a Deposit, over and above the proper Fare for driving to such Place, which Sum so demanded and received shall be accounted for by the Driver when such Hackney Carriage shall be finally discharged; and if any such Driver shall refuse to remain in waiting on Payment of the Fare earned and the Tender of a Deposit sufficient to pay the further Fare for a specified Time of waiting, or shall after receiving a Deposit go away, or permit such Hackney Carriage to be driven or taken away, without the Consent of the Person making such Deposit, before the Expiration of the Time for which the Sum so deposited shall be a sufficient Compensation, according to the Fares then by Law payable, or if any Driver, on the final Discharge of such Hackney Carriage, shall refuse to refund any Portion of such Deposit which may exceed the Fare ultimately payable, in addition to the original Fare paid upon the making of such Deposit, he shall in any of such Cases forfeit a Sum not exceeding Forty Shillings; provided always, that nothing herein contained shall be deemed an Authority to any Person to detain a Hackney Carriage beyond such Period of Time as shall be fixed by the Commissioners of Police in any Rule, Order, or Byelaw to be made under the Direction of this Act.

Carriages may ply on Sundays, and shall be then subject to all the Regulations in force.

XLVI. It shall be lawful for the Proprietor or Driver of any Hackney Carriage which shall be licensed under the Authority of this Act to stand and ply for Hire with such Carriage, and to drive the same, on the Lord's Day, any former Act or Acts to the contrary notwithstanding; and that such Proprietor or Driver who shall so stand and ply for Hire as aforesaid shall be liable and compellable to do the like Work on the Lord's Day as by this Act liable or compellable to do as such Proprietor or Driver on any other Day of the Week.

Persons refusing to pay for any Carriage or Cart, &c., or for Damage, may be committed.

XLVII. If any Person shall refuse or omit to pay the Proprietor or Driver of any Hackney Carriage, Stage Carriage, Job Carriage, Cart, or Job Horse the Sum justly due for the Hire of such Carriage, Cart, or Horse, or if any Person, either by himself or by the Negligence or Misconduct of any Person in his Employment, shall break, deface, or in any Manner injure any such Carriage or Cart, or the Harness thereof, or shall injure any Horse used with any such Carriage or Cart, or shall injure any Job Horse, in either Case the Person so offending shall, on Conviction before a Justice, forfeit such Sum as to the said Justice shall seem reasonable for any and every such Offence; and it shall be lawful for any Constable of Police, upon a Charge of any such Offence, to apprehend and hold to Bail to appear before a Justice the Person so charged; and upon Proof upon Oath before such Justice of the Nonpayment of the proper Fare, or of any Injury or Loss so suffered through the Negligence or Misconduct of such Person, the said Justice shall adjudge the Sum to be paid, and shall award reasonable Satisfaction to the Party so complaining or injured for his Fare or for the Damage suffered, with Compensation for his Loss of Time in attending to make and establish such Complaint; and if the Sum awarded shall not be thereupon paid, or if the Offender shall not also pay at the same Time the Sum which shall be awarded as Satisfaction to the Owner or Driver, it shall be lawful for such Justice to commit the said Offender to Prison, there to remain for any Time not exceeding Two Calendar Months, unless the Amount of the said Fine and Satisfaction shall be sooner paid; and it shall also be lawful for such Justice, if he shall think fit, to order such Offender to be kept to Hard Labour during such Imprisonment.

Commissioners, with Consent of Recorder of the City of Dublin, may alter Fares of Hackney Carriages by increasing or diminishing same.

XLVIII. It shall and may be lawful for the said Commissioners, from Time to Time and at all Times hereafter, as often as they shall consider it expedient so to do, to vary and alter each or any of the Rates and Fares now by Law payable for the Use of Hackney Carriages, and to fix and appoint the Rates and Fares to be taken and demanded for the Use of Hackney Carriages to be licensed under this Act, and to increase or diminish the same; provided that every such Alteration, whether by way of Increase or Diminution, shall be approved of by the Recorder of the City of *Dublin*, and shall be published in the Manner herein-

herein-before directed with respect to any Alteration which shall be made in the Duties to be taken under this Act.

Commissioners to appoint or alter Places for Carriage Stands, and limit the Number of Carriages at each.

XLIX. It shall and may be lawful for the said Commissioners to order and direct the Route of Hackney Carriages when proceeding from One Stand to another, and from Time to Time to appoint proper Places or Stations within the Limits of this Act, where Hackney Carriages, Stage Carriages, and Carts licensed for that Purpose may stand for Hire; and from Time to Time to alter any Stands or Stations, and to limit the Number of Hackney Carriages, Stage Carriages, and Carts to stand in each of such Places, and to direct and regulate the Spaces and Intervals to be left between the Carriages and Carts at such Stands and Places, and in all respects to regulate the Manner in which Carriages and Carts shall stand thereat respectively; and it shall also be lawful for the said Commissioners to inspect or cause to be inspected by such Person or Persons as they shall appoint in that Behalf all such Carriages and Carts to be licensed under this Act, and the Horses and Harness employed to draw such Carriages and Carts respectively, at such Times and Places as the said Commissioners shall for that Purpose appoint, and to that End require that all Carriages and Carts, Horses and Harness, to be inspected as aforesaid, shall be produced before them or before such Person or Persons as they shall appoint, at such Times and Places as they shall direct; and in case any Person shall refuse or neglect to obey or comply with any Order or Direction made or given by the said Commissioners in pursuance of the Powers hereby vested in them, every Person so offending shall forfeit a Sum not exceeding Forty Shillings.

Commissioners to make Rules for the Regulation of Hackney Carriages and Conduct of Drivers, &c.

L. It shall and may be lawful for the said Commissioners from Time to Time and at all Times to make such General Rules, Orders, and Byelaws for the better ordering and regulating of all and singular the Persons, Carriages, Carts, and Horses required to be licensed under this Act as in the Judgment of the said Commissioners may be required for public Propriety, Safety, Accommodation, or Convenience, and from Time to Time to alter, vary, amend, or repeal all or any of such Rules, Orders, and Byelaws; provided that such Rules, Orders, and Byelaws, when so made or altered, shall not be repugnant to the Provisions of this Act; and it shall and may be lawful for the said Commissioners to fix and ordain therein such reasonable Penalties and Forfeitures as to them may seem fit for all Offences against and Breaches of such Rules, Orders, or Byelaws, and to subject Offenders against same to Imprisonment in the Common Gaol or House of Correction for the Breach of any such Rule, Order, or Byelaw, there to be kept (either with or without Hard Labour) for any Time not exceeding Thirty Days; and it shall and may be lawful for the said Commissioners, in their Discretion, to make void or suspend the Licence or Licences of every Offender who shall be convicted of any Offence against the same, unless the Magistrate before whom such Conviction shall be had against such Offender shall at the Time of such Conviction state in Writing on his Licence that such Punishment as he has adjudged against such Offender shall be "without Prejudice to his Licence:" Provided always, that such new Rules, Orders, and Byelaws, and every Alteration, Amendment, and Repeal of the same, shall be approved of by the Recorder of the City of *Dublin*, and that after such Rules, Orders, and Byelaws, or any Alterations, Amendment, or Repeal of the same, shall have been so made and approved of, the same shall be published in the Manner herein-before directed with respect to any Alterations which shall be made in the Duties to be paid under this Act; and all such Rules, Orders, and Byelaws, and every Alteration, Amendment, and Repeal of the same, when approved of as aforesaid, shall be good and valid, as fully and effectually, to all Intents and Purposes whatsoever, as if the same were particularly mentioned, expressed, and enacted in this present Act.

Penalty on Persons acting as Driver, whether licensed or not, without Consent of Proprietor.

LI. Every Driver or Conductor authorized by any Proprietor to act as Driver of any Hackney Carriage as aforesaid, or as Driver or Conductor of any Stage Carriage, who shall suffer any other Person to act as Driver of such Hackney or other Carriage, or as Driver or Conductor of such Stage Carriage, without the Consent of the Proprietor thereof, and also every Person, whether duly licensed or not, who shall act as Driver or as Conductor of any such Carriage without the Consent of the Proprietor thereof, shall forfeit the Sum of Forty Shillings; and every Driver or Conductor charged with such Offence who, when

required by any Justice so to do, shall not truly make known the Name and Place of Abode of the Person so suffered by him to act as Driver or Conductor without the Consent of the Proprietor, and also the Number of the Ticket of such Person (if licensed), shall be liable to a further Penalty of Forty Shillings; and it shall be lawful for any Police Constable, without any Warrant for that Purpose, to take into Custody any Person unlawfully acting as a Driver or as a Conductor, and to convey him before any Justice, to be dealt with according to Law, and also, if necessary, to take charge of the Carriage and every Horse in charge of such Person, and to deposit the same in some Place of safe Custody until the same can be applied for by the Proprietor.

Commissioners to grant Licence to act as Driver, &c., on Production of Certificate.

What shall be specified in the Licence.

LII. It shall be lawful for the said Commissioners to grant to any Male Person more than Sixteen Years of Age, on producing a satisfactory Certificate of Ability to drive, and of good Character, a Licence to act as Driver of any Hackney Carriage, Stage Carriage, or Job Carriage, or Horse, and also to grant to any such Male Person, upon the Production of a Certificate of good Character, a Licence to act as Conductor of any Stage Carriage; and for every such Licence and for every Renewal thereof there shall be paid the Duty appropriated thereto in the Schedule (B.) to this Act annexed, and there shall be specified in it the proper Name and Surname, Place of Abode, Age, and Description of the Person to whom such Licence shall be granted; and every such Licence shall bear a distinctive Number, and be dated on the Day upon which the same shall be granted, and shall thence continue in force until voluntarily surrendered by the Party named therein, or until otherwise determined or revoked under the Provisions of this Act, and except for the Time (if any) during which the same shall be suspended by the said Commissioners or by any Justice; and in every such Licence there shall be specified a Period within which the same shall while in force be surrendered annually at the Office which the said Commissioners shall appoint, for the Purpose of the same being renewed or re-granted: Provided always, that it shall and may be lawful for the said Commissioners to refuse to grant any such Licence or Renewal thereof, or to revoke any such Licence, in case it shall appear that the Person applying for or in possession of such Licence is an unfit Person to hold the same, by reason of his having been convicted of any Theft or Felony, or of his having been convicted of any Assault, or of Drunkenness, or of any Violation of this Act, or the Rules and Regulations or Byelaws relating to Hackney Carriages: Provided also, that it shall not be necessary for the Guard of any of Her Majesty's Mails to obtain a Licence under this Act.

Drivers, &c. applying for Licences to sign Requisition for the same.

Persons making false Representations to forfeit 40*s.*, and Licence may be revoked.

LIII. Before any such Licence as last aforesaid shall be granted or renewed a Requisition for the same, in such Form as the said Commissioners shall prescribe for that Purpose, and accompanied (except in Cases of Renewal) with such Certificate as herein-before is required, shall be made and signed by the Person to whom such Licence is requested to be granted, and in every such Requisition there shall be truly specified and set forth the proper Name and Surname and Place of Abode and Age of the Person applying for such Licence, with all such further Particulars as the Commissioners may require; and if any Person applying for, and procuring or attempting to procure, any such Licence as last aforesaid, or any Renewal thereof, shall make or cause to be made any false Representation in any such Requisition as aforesaid, or if he shall not truly answer all Questions which shall be demanded of him in relation to such Application for a Licence or Renewal, or if any Person to whom Reference shall be made shall in regard to such Application wilfully or knowingly make any Misrepresentation with the Intention of deceiving the said Commissioners, each and every Person so offending shall forfeit for every such Offence a Sum not exceeding Forty Shillings; and it shall be lawful for the said Commissioners, upon Proof of any such Offence, to revoke any Licence which shall have been granted upon any such false Representation; and it shall be also lawful for the said Commissioners to proceed for recovering of such Penalty before any Justice at any Time within One Calendar Month after the Commission of the Offence, or during the Currency of the Licence so improperly obtained.

Licences may be revoked or suspended by Justices.

LIV. It shall be lawful for any such Justice before whom any Driver or Conductor shall be convicted of any Offence, whether under this Act or any other Act, or under any Rule, Order, or Byelaw duly made by the said Commissioners as herein-before provided, if such Justice, in his Discretion, shall think fit, to revoke the Licence of such Driver or Conductor, and

and also any other Licence which he shall hold under the Provisions of this Act, or to suspend the same for such Time as the Justice shall think proper; and if any Driver or Conductor complained of shall be adjudged guilty of the Offence alleged against him, the Justice before whom he shall be convicted shall in every Case endorse upon the Licence of such Driver or Conductor the Nature of the Offence and the Penalty or other Punishment which shall be so inflicted; and if the said Licence shall not be produced, on Demand thereof, it shall be lawful for the Justice to detain in Custody such Driver or Conductor until the Proprietor or Person in whose Possession such Licence shall then be shall deliver up the same, or until such Proprietor or Person shall be summoned in manner as herein-before directed; and the Justice shall forthwith send such Licence, and the Badge thereunto belonging, to the Commissioners, who shall cancel such Licence if it has been revoked by the Justice, or if it has been suspended shall at the End of the Time for which it shall have been suspended re-deliver such Licence, with the said Badge, to the Person to whom it was granted.

Abstract of Laws and Badge to be delivered to Drivers, &c. with Licence.

Badge to be worn by Drivers, &c.

Penalty for Neglect, or refusing Inspection of Badge, 40*s*.

LV. The said Commissioners shall at the Time of granting any such Licence cause to be delivered to the Driver or Conductor to whom the same shall be granted an Abstract of any Law, Byelaw, and Regulations in force specifically relating to such Employment, and of the Penalties for any Misconduct therein, and also such Badge of Distinction as the said Commissioners shall cause to be provided and shall require to be worn; and every such Driver or Conductor shall at all Times during his Employment, and when he shall be required to appear before any Justice, wear such Badge in such Manner as shall be required by any Rule, Order, or Byelaw made in relation thereto, so that the Number thereon shall be distinctly visible and legible; and if any licensed Driver or Conductor shall act as such or shall attend before any Justice, without having and wearing such Badge in manner aforesaid, or shall when thereunto required refuse to produce such Badge for Inspection, or to permit any Person to note the Number thereon, he shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Licences and Badges to be surrendered on Discontinuance of Licence.

Penalty for wearing a Badge without having a Licence.

LVI. If in any Year any such Licence as last aforesaid shall not be renewed within the Period specified therein for the Purpose, or shall be revoked for any of the Causes herein-before mentioned, the Person to whom such Licence shall have been granted shall deliver up such Licence and the Badge belonging thereto to the said Commissioners, or the Officer appointed by them for that Purpose; and if after such Licence shall have been revoked, or shall not have been renewed in any Year within the Period prescribed for the Purpose, such Person shall use or wear the Badge thereto belonging, or shall neglect or refuse for the Space of Three Days to deliver the same and the Licence to the said Commissioners, or the Officer appointed by them for that Purpose, or if any Person shall use or wear or detain any Badge without being named and described in a Licence in force relating thereto, he shall for every such Offence forfeit any Sum not exceeding Forty Shillings, and so from Time to Time until such Badge shall be delivered up in manner herein specified; and it shall be lawful for any Constable to seize and take away any Badge so worn unlawfully, wheresoever the same may be found, and thereupon deliver the same to the said Commissioners.

New Badges to be delivered in lieu of defaced or lost Badges.

Penalty for not delivering up lost Badge when found, or for wearing a Badge after it has been defaced, 40*s*.

LVII. Whenever the Number of any Badge shall become obliterated or defaced, so that the same shall not be distinctly visible and legible, and also whenever any Badge shall be proved to the Satisfaction of the said Commissioners to have been lost or mislaid, the Person to whom the Licence relating to any such Badge shall have been granted shall produce such Licence to the said Commissioners or their proper Officer, and in the Case of a Badge with the Number obliterated or defaced shall at the same Time deliver up such Badge, and such Person shall then be entitled to have a new Badge delivered to him in lieu of the Badge so lost or mislaid or delivered up, upon the Payment of the Sum of Two Shillings, to be applied as aforesaid: Provided always, that if any Badge which shall have been proved as aforesaid to have been lost or mislaid shall afterwards be found, the same shall forthwith be delivered up to the said Commissioners or their proper Officer; and if any Person into whose Possession any such Badge as last aforesaid shall come shall neglect for the Space of Three Days or refuse to deliver up the same to the said Commissioners or their proper Officer, to be disposed of as the said Commissioners may think proper, or if any Person licensed under the Authority of this Act shall use or wear the Badge granted to him after the Number thereon

shall be in any Manner obliterated, defaced, or obscured, so that the same shall not be distinctly visible and legible, every such Person so offending shall for every such Offence forfeit a Sum not exceeding Forty Shillings.

Forgery of Licence or Badge, or knowingly uttering a forged Licence or Badge, a Misdemeanor.

LVIII. If any Person shall forge or counterfeit, or shall cause or procure to be forged, counterfeited, or resembled, any Licence or Badge by this Act directed to be provided for each Driver or Conductor as aforesaid, or if any Person shall sell or exchange or expose to Sale, or utter or bestow, any such forged or counterfeited Licence or Badge, or if any Person shall knowingly and without lawful Excuse (the Proof whereof shall lie on the Person accused) have or be possessed of such forged or counterfeited Licence or Badge, knowing such Licence or Badge to be forged or counterfeited, every Person so offending, and every Person knowingly and wilfully aiding, abetting, or assisting any Person committing any such Offence as aforesaid, shall be adjudged guilty of a Misdemeanor, and being thereof convicted shall be punished by Imprisonment in the Common Gaol or House of Correction for a Term not exceeding Two Calendar Months, and either with or without Hard Labour, as the Court shall think fit; and it shall be lawful for any Person to detain any such Licence or Badge, or for any Constable to seize and take away any such Licence or Badge, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Commissioners shall think proper.

Notice to be given by Drivers of any Change of Abode to be endorsed on Licence.

If not given, to forfeit 40*s*.

LIX. As often as any Driver or Conductor, if licensed under this Act, shall change his Place of Abode, he shall, within Four Days next after such Change, give Notice thereof in Writing signed by him to the said Commissioners, specifying in such Notice his new Place of Abode, and shall at the same Time produce his Licence to the said Commissioners, or to an Officer appointed by them for that Purpose, who shall endorse thereon a Memorandum specifying the Particulars of such Change; and if any such Driver or Conductor shall make any Change as aforesaid, and shall neglect or omit to give Notice of such Change, or to produce his Licence, in order that such Memorandum as aforesaid may be endorsed thereon, within the Time and in the Manner herein limited and directed, he shall forfeit for every such Offence a Sum not exceeding Forty Shillings; and in case any of the Particulars entered or endorsed upon any Licence in pursuance of this Act shall be erased or otherwise defaced, every such Licence shall be wholly void and of none Effect.

Advertising Vehicles, &c. prohibited.

LX. It shall not be lawful for any Person to carry about on any Carriage or on Horseback or on Foot, in any Thoroughfare or public Place within the Limits of this Act, to the Obstruction or Annoyance of the Inhabitants or Passengers, any Picture, Placard, Notice, or Advertisement, whether written, printed, or painted upon or posted or attached to any Part of such Carriage, or on any Board, or otherwise.

Infliction of Penalties and Recovery of Fines, &c.

Offences, wheresoever committed, to be cognizable by Divisional Justices.

LXI. All Duties, Penalties, Fines, and Forfeitures imposed by this Act, or which may be incurred under any of the Provisions of this Act, or under any Byelaw, Order, Rule, or Regulation made pursuant thereto, and all and every Sum and Sums of Money whatsoever which may be payable or recoverable thereunder in the Nature of Compensation or Damages, Costs, Expenses, or otherwise, wheresoever the Contract, Offence, Act, or Matter by which the same may have originated or become payable or recoverable shall be committed or done, or have happened or terminated, may be inflicted by or be sued for and recovered before any One or more of the Divisional Justices of the Police District of *Dublin* Metropolis, whether the Subject Matter of the Complaint preferred before him in relation thereto took place within the Limits of this Act or beyond the same; and One or more of the said Justices shall attend for the Purpose of hearing and determining Complaints respecting the Premises at such Place or Places within the said Police District, or for any Division thereof, although the same may not be One of the Divisional Offices of Police for the District, and at such Time or Times, as shall be appointed for the Purpose by the Lord Lieutenant or other Chief Governor or Governors of *Ireland*, or according to any general Directions to be from Time to Time given by the Chief or Under Secretary to the Lord Lieutenant; and in case of any Dispute between the Hirer and Driver of any Hackney Carriage, the Hirer may require the Driver forthwith to drive to the nearest Metropolitan Police Court, where Complaint may be made to the Magistrate then sitting, who shall hear and determine the same, without requiring any Summons to be issued for that Purpose; and if such Dispute should arise

In case of Disputes the Hirer may require the Driver to drive to a Police Court, &c. or to a Police Station.

arise at a Time when the Police Court shall not be open, the Hirer may require the Driver to drive to the nearest Police Station, where the Complaint shall be entered, and Notice given to both Parties that the Matter in Dispute shall be heard by the Magistrate at his next Sitting; and it shall be lawful for any Divisional Justice by whom any Person shall be convicted of any Offence under this Act, or under the Byelaws, Orders, or Regulations made pursuant thereto, to lessen the Penalty or Term of Imprisonment in such Manner as he may think fit.

Power to mitigate Penalties.

LXII. In every Case where there shall be more than One Proprietor of any Hackney or other Carriage as aforesaid, or Stage Carriage, or Job Horse, or Cart, it shall be sufficient in any Information, Summons, Order, Conviction, Warrant, or any other Proceeding under the Provisions of this Act, to name One of such Proprietors, without reference to any other or others of them, and in the Case of a Body Corporate or public Company the public Officer thereof, and to describe and proceed against him as if he were sole Proprietor.

Providing for Cases where there are more Proprietors than One.

LXIII. Such Fees as are contained in the Schedule hereunto annexed marked (E.), and no other or greater Fees, shall be taken by any Justice for any Business done or Proceedings had before him under this Act.

Fees to Justices

LXIV. Any Summons issued by any Justice requiring the Appearance of any Defendant, or of any Witness or other Person with reference to any Information, Complaint, or other Proceeding pending for the Recovery of any Forfeiture, Penalty, or Sum of Money, or otherwise howsoever under this Act, shall be deemed to be well and sufficiently served in case either the Summons or a Copy thereof shall, Forty-eight Hours at least before the Time appointed for the Hearing of the Complaint, or other the Cause of such Summons, be served personally on any such Person as aforesaid, or be left at his usual or last Place of Abode, or at his Counting-house or Office, or other Place of Business, or (in case such Person be a licensed Proprietor of a Hackney Carriage, Job Carriage, Job Horse, Stage Carriage, or Cart,) at the Place registered as aforesaid as the Place of Abode or Business of such Proprietor, as the Case may be; and if such Place cannot be found, or if such Proprietor shall not be known thereat, then such Summons shall be deemed to be well and sufficiently served, if the same or a Copy thereof be fixed up in some conspicuous Place in the public Office or Place appointed for the hearing of Causes under this Act within the said Police District of *Dublin* Metropolis: Provided always, that in all Cases in which the Places of Abode, Counting-house, Office, or other Place of Business of such Proprietor shall be at a greater Distance than Two Miles from the General Post Office, such Proprietor shall be required, prior to the Issue of any Licence to him under this Act, to specify in his Application for the same a Place of Address within the Municipal District of the City of *Dublin*; and every Summons as aforesaid, or a Copy thereof, shall be deemed well and sufficiently served if served personally upon the known or reputed Driver of such Proprietor, or left at the usual Place of Abode of any such Driver, or if left at such Place of Address of such Proprietor, Forty-eight Hours at least before the Time appointed for the hearing of the Complaint or other Cause of Summons.

Service of Summons.

LXV. Upon the Trial or Hearing of any Information or Complaint exhibited or made under any of the Provisions of this Act, or under any Rule, Order, or Byelaw made in pursuance thereof, any Informant or Complainant or other Person shall be deemed and is hereby declared to be a competent Witness, notwithstanding that he may be entitled to any Part of any pecuniary Penalty or to any pecuniary Compensation or Reward on the Conviction of any Offender upon any such Information or Complaint, or liable to any Police Rate or Tax; provided nevertheless, that it shall also be lawful to and for the Divisional Justice by and before whom any Information or Complaint is to be determined, if in his Discretion he shall think fit so to do, to admit the Respondent or Party accused in any such Case to be examined upon Oath, and give Evidence touching the said Complaint and the Matters relating thereto.

Informants or Complainants not disqualified from being Witnesses.

Respondents also competent.

LXVI. If any Person who shall be summoned as a Witness to give Evidence before a Justice touching the Matters alleged in or relating to any Information, Complaint, or other Proceeding

Penalty on Witnesses neglecting to attend

or refusing to give Evidence.

Proceeding depending before such Justice under the Authority of this Act, shall neglect or refuse to appear before such Justice at the Time and Place to be for that Purpose appointed, without a reasonable Excuse, to be allowed by such Justice, or if any Person so summoned shall appear and refuse to be examined and give Evidence before such Justice touching the Matters aforesaid, every Person so offending shall forfeit a Sum not exceeding Forty Shillings; and if any such Witness or any Complainant shall make any Statement in Evidence which shall be proved to be untrue, and to be a wilful and known Misrepresentation of the Circumstances or Occurrences connected with the Complaint, Information, or other Proceeding depending before such Justice, it shall be lawful for the said Justice to commit the Person so offending to Prison for any Period not exceeding Two Calendar Months, with or without Hard Labour, as the said Justice shall direct: Provided always, that nothing herein contained shall prevent a Prosecution for Perjury against any such Witness or Complainant, if such Justice shall so direct; and if any Complainant, Witness, Defendant, or other Person shall, by any disrespectful or disorderly Conduct before the said Justice, in the Use of violent, abusive, or indecorous Language, to whomsoever applied, or of any Imprecation, Threat, or slanderous Imputation, or of any menacing Gesture, or of any Act, Gesture, or Language tending to provoke a Breach of the Peace, or of any other Means of Disturbance or Disorder, it shall be lawful for the said Justice to inflict for every such Offence a Fine not exceeding Forty Shillings, and in default of immediate Payment thereof to commit the Person so offending to Prison for any Period not exceeding Seven Days.

Justices empowered to award Compensation to Persons for Loss of Time in attending to answer unfounded Complaints.

LXVII. If any Person shall be summoned or brought before any Justice to answer any Complaint made against him by any Person other than a Police Officer or Constable, touching or concerning any Offence committed or alleged to have been committed by the Person so summoned or brought before such Justice against the Provisions of this Act, or any Byelaw, Order, Rule, or Regulation made pursuant thereto, and such Complaint or Information shall afterwards be withdrawn, or quashed, or dismissed, or if the Defendant shall be acquitted of the Offence charged against him, it shall be lawful for the said Justice, if he shall think fit, to order and award that the Person making such Complaint shall pay to the Defendant such Costs for making or preparing for his Defence, and also such Compensation for the Loss of his Time, and for the Time of his Witnesses (if any) in attending the said Justice, touching or concerning such Complaint or Information, as to the said Justice shall seem reasonable; and in default of immediate Payment of the Sum so awarded it shall be lawful for the said Justice to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person ordered to pay the Sum so awarded, together with the Costs of such Distress and Sale; and if Goods and Chattels of such Person sufficient to answer the Sum so awarded, with such Costs as aforesaid, cannot be found, then it shall be lawful for such Justice to commit such Person to the Common Gaol or House of Correction for any Time not exceeding Two Calendar Months, unless the Sum so awarded, together with all Costs and Expenses, shall be sooner paid and satisfied.

Penalty on false Oaths.

LXVIII. If any Person or Persons who shall take any Oath in pursuance of this Act shall wilfully swear falsely therein, and shall be thereof lawfully convicted, by Verdict or Confession, any such Person so offending shall for any such Offence incur and suffer such Penalties, Pains, and Disabilities as Persons convicted of wilful and corrupt Perjury are or shall be liable to by any Law then in force in *Ireland*; and if any Person or Persons shall procure or suborn any other Person to take such false Oath, and shall be thereof convicted, by Verdict or Confession, (whether the Person having taken such false Oath shall be previously convicted or not,) any such Person so procuring or suborning shall for every such Offence incur and suffer such Penalties, Forfeitures, Pains, and Disabilities as Persons convicted of Subornation of Perjury are or shall be liable to by any Law then in force in *Ireland*.

Appeal.

LXIX. In case any Person or Persons who shall be refused a Licence, or whose Licence shall be revoked under the Provisions of this Act, or against whom any Information or Complaint shall have been exhibited under this Act, shall feel aggrieved by such Refusal or Revocation, or by the Judgment given upon such Information or Complaint, where such Judgment

Judgment shall be for the Payment of any penal or other Sum exceeding Twenty Shillings, or for any Term of Imprisonment exceeding One Month, but in no other Case, it shall be lawful for such Person or Persons, upon giving such Notice as herein-after mentioned, to appeal therefrom to the Recorder of the City of *Dublin* at his next Sessions, or if there be not One Week between the Time of such Refusal, Revocation, or Adjudication and the next Sessions, then to the next succeeding Sessions after the Expiration of such Week to be holden in and for the said County of the City of *Dublin;* and it shall be lawful for the said Recorder to hear, adjudge, and finally determine such Appeal; and if upon any such Appeal any Defect in Form shall be found in any Part of such Proceedings, every such Defect of Form shall and may thereupon be immediately rectified and amended by Order of such Recorder, anything in this or any other Act or Acts of Parliament to the contrary notwithstanding: Provided always, that such Refusal or Revocation of any such Licence shall be valid until the final Decision of any such Appeal.

Defects of Form cured upon Appeal.

LXX. No such Appeal as aforesaid shall be allowed unless the Party or Parties Appellant shall, within Forty-eight Hours after such Refusal or Revocation, or the giving of the Judgment appealed against, give Notice in Writing of such Appeal to the Secretary of the said Commissioners or to the Clerk of the Justice from whose Judgment such Appeal shall be made, and shall in due Time lodge such Notice at the Office or with the Clerk of the Peace at such General or Quarter Sessions as aforesaid respectively at which such Appeal is to be finally adjudged and determined.

No Appeal allowed unless Notice thereof given,

LXXI. No Appeal shall stay or prevent the Execution of any Warrant or Process on any Conviction, unless the Party convicted shall before the convicting Justice or Justices enter into a Recognizance, with Two sufficient Sureties, in a Sum equal to double the Amount of the Penalty or Penalties in which the said Party shall have been convicted, and of the Costs awarded, if any, which Recognizance shall be conditioned that the Party so appealing shall personally appear at the proper General Quarter Sessions, and abide the Judgment of the Court thereupon, and pay such Costs, if any, as shall be by the Court awarded, which Recognizance such Justice or Justices is and are hereby authorized to require and take of the Party convicted entering into such Recognizance; and the Justice who shall take such Recognizances is also hereby required to bind the Person who shall make the Charge on which such Judgment shall have been given in a Recognizance conditioned that he shall appear at such General or Quarter Sessions aforesaid, then and there to give Evidence against the Person so charged, and to in like Manner bind any other Person who shall have any Knowledge of the Circumstances of such Offence; and every such Witness, on producing a Certificate of his being so bound over under the Hand of such Justice, shall be allowed Compensation for his Time and Trouble and Expenses in attending such Appeal, which Compensation shall be paid by the Treasurer of the County in like Manner as in Cases of Felony, according to and under the Provisions of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of King *William* the Fourth, Chapter One hundred and sixteen: Provided always, that in case such Appeal shall be dismissed and such Conviction affirmed, the reasonable Expenses of all such Witnesses attending as aforesaid, to be ascertained by the Court, shall be paid by the Appellant or Appellants, and the Recognizance or Recognizances so entered into as aforesaid shall be estreated, unless such Expenses are so paid by such Appellant or Appellants; and it shall not be necessary, at the hearing of such Appeal, to return or produce to the Court of Quarter Sessions any Record of the Conviction of the Defendant or Appellant before any Divisional Justice, but it shall be deemed sufficient for the Clerk of the convicting Justice to attend at such Court of Quarter Sessions, and produce the Book containing the Entry of such Conviction; and such Clerk shall enter in such Book the Judgment of said Court of Quarter Sessions in reference to such Appeal, and thereupon such Judgment shall be held to be final and conclusive between the Parties to such Appeal.

Execution shall not be stayed unless the Party convicted shall give Security by Recognizance to prosecute Appeal.

LXXII. Upon every such Appeal as aforesaid it shall be lawful for the Court of General or Quarter Sessions to re-hear upon Oath the Merits of the Case whereon the original Judgment

Court of Quarter Sessions, on Appeal,

to examine only the Evidence before given, and in case of any new Judgment to have like Power of mitigating as original Justices.

ment appealed against shall have been given, and to reverse or confirm in the whole or in part the Judgment appealed against, or to give such new or different Judgment as they in their Discretion shall in that Behalf think fit; and such Court shall in such new or different Judgment have the same Power of mitigating as is herein-before by this Act given to Justices in Judgments given by them: Provided always, that it shall be lawful for such Court as aforesaid, at its Discretion, to state specially the Facts of any Case on which such Appeal shall be made, for the Opinion of Her Majesty's Court of Queen's Bench in *Ireland*.

Court to adjudge Costs in case of Dismissal or Abandonment of Appeal.

LXXIII. When any Appeal under this Act shall be dismissed, or the Adjudication appealed against shall be affirmed, or such Appeal shall be abandoned, it shall be lawful for the Court to which such Appeal shall have been made or intended to be made to adjudge and order that the Party appealing shall pay such reasonable Costs as shall in the Opinion of such Court be meet, to be recovered in like Manner as the Penalties given by this Act are recoverable.

In what Manner Goods distrained shall be sold.

LXXIV. In all Cases where any Goods or Chattels distrained or otherwise seized or taken under any of the Provisions of this Act shall be sold for the Purposes thereof, the same shall be sold by Public Auction, and Notice of the Time and Place of such Sale be given to the Owner of such Goods or Chattels, or left at his last known Place of Abode or of Business, Five Days at the least prior to such Sale: Provided always, that if the Owner of any such Goods or Chattels shall give his Consent in Writing to the Sale thereof at any earlier Period than is by this Act or shall be by any such Notice appointed for such Sale, or in any other Manner than is by this Act directed, it shall be lawful to sell such Goods and Chattels according to such Consent; provided also, that if the Owner of such Goods or Chattels shall at any Time before Sale thereof pay or tender to the Person who by any Warrant or other Process shall be directed or authorized to cause such Goods or Chattels to be sold the Sum which shall by such Warrant or Process be required to be levied or raised by the Sale of such Goods or Chattels, together with all reasonable Costs and Expenses incurred, no Sale of such Goods or Chattels shall be made.

Justices may issue Warrants to apprehend in certain Cases.

LXXV. It shall be lawful for any Justice, upon any Complaint being lodged before him under the Provisions of this Act against the Proprietor or Driver of any Hackney Carriage, Job Carriage, Stage Carriage, Job Horse, or Cart, to issue a Warrant for the Apprehension of such Proprietor or Driver, or a Summons for his Appearance to be examined touching the said Complaint, or to answer the same, as to such Justice shall seem fit.

Persons obstructing the Execution of this Act to be committed until duly discharged

LXXVI. If any Person or Persons whatsoever shall assault, molest, resist, or obstruct the said Commissioners, Divisional Justices, or any of them, or any Person acting under the Authority of them or any of them, in the Execution of his or their Duty under this Act, it shall and may be lawful for such Commissioners, Divisional Justice or Justices, or Persons so acting under his or their Authority, and for all and every Person or Persons acting in his or their Aid and Assistance, to arrest all and every Person or Persons so offending, and him, her, or them to convey before any One of the said Divisional Justices, or, if apprehended in the Night-time, to lodge him, her, or them in the Station House or other Place for safe Custody until the Morning, and then to carry and convey such Person or Persons before any One or more of the said Divisional Justices; and such Justice or Justices shall and may, if upon due Examination he or they shall find Cause, commit every such Person to Gaol, there to remain until he, she, or they shall be delivered by due Course of Law.

Distribution of Penalties.

LXXVII. All pecuniary Penalties which shall be recovered before any Justice under the Provisions of this Act shall respectively be divided and distributed in manner following; (that is to say,) One Moiety thereof to the said Receiver of the said Police District of *Dublin* Metropolis, to be placed by him to the Account of the Public Monies of the Revenue of the Metropolitan Police District, and to be applied accordingly, and the other Moiety thereof to the Person who shall give Information of the Offence and prosecute the Offender: Provided nevertheless,

nevertheless, that in case the Person who shall so give Information and prosecute shall be at the Time of the Commission of the Offence, or of the hearing of the Complaint, employed in the *Dublin* Metropolitan Police Service, the whole Penalty so forfeited shall be paid to the said Receiver for the Purposes aforesaid.

Limitation of Actions.

LXXVIII. Any Action or Prosecution which shall be brought or commenced against any Person for anything done in pursuance or under the Authority of this Act shall be commenced and prosecuted within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought and tried in the District, County, or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of such Action, and the Cause thereof, shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and the Defendant in such Action may plead the General Issue, and give this Act and any other Matter or Thing in Evidence at any Trial to be had thereupon; and if the Cause of Action shall appear to arise from any Matter or Thing done in pursuance and by the Authority of this Act, or if any such Action shall be brought after the Expiration of such Three Calendar Months, or shall be brought in any other County or Place than as aforesaid, or if Notice of such Action shall not have been given in manner aforesaid, or if Tender of sufficient Amends shall have been made before such Action commenced, or if a sufficient Sum of Money shall have been paid into Court after such Action commenced by or on behalf of the Defendant, the Jury shall find a Verdict for the Defendant; or if a Verdict shall pass for the Defendant, or if the Plaintiff shall become nonsuited, or shall discontinue any such Action, or if, on Demurrer or otherwise, Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs of Suit as between Attorney and Client, and shall have the like Remedy for the same as any Defendant may have for Costs of Suits in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant, unless the Judge before whom the Trial shall be had shall signify his Approbation of the Action, and of the Verdict obtained thereupon.

Security to be given by Officers, &c. employed under this Act.

LXXIX. Every Officer employed under the said Commissioners who in the Execution of his Duty shall be engaged in the Receipt of Money payable in pursuance of this Act shall, in respect of any Money to be received by him under this Act, and any other Act in the Execution of which he shall be employed, give Security in such Amount as the said Commissioners, with the Approval of the said Chief or Under Secretary, shall direct, in like Manner and Form as is required to be given by each Clerk of Petty Sessions under the Provisions of "The Petty Sessions (*Ireland*) Act, 1851."

Interpretation of certain Words in this Act.

LXXX. And be it enacted, That the Words and Expressions herein-after mentioned shall in this Act and the Schedules thereto annexed (except where the Nature of the Provisions or the Context of the Act shall exclude such Construction) be interpreted as follows; that is to say, the Words "Commissioners of Police" shall be understood to mean the Justices of the Police District of *Dublin* Metropolis for the Time being, appointed by virtue of an Act passed in the Session of Parliament held in the Sixth and Seventh Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for improving the Police in the District of* Dublin *Metropolis*; the Word "Justice" shall be understood to mean any of the Divisional Justices duly appointed for the Police District of *Dublin* Metropolis; the Word "Gaol" shall include any House of Correction or Bridewell, or other legal Place of Imprisonment within the Police District of *Dublin* Metropolis; the Word "Oath" shall include Affirmation or solemn Declaration, as the Case may be; the Words "Hackney Carriage" shall include every Carriage for Passengers (except a Stage Carriage, or a Carriage drawn or impelled by the Power of Steam or otherwise than by Animal Power,) which shall be used for the Purpose of standing or plying for Hire in any Street or Road or any Place within the Limits of this Act; the Words "Job Carriage" shall include every Hearse and Mourning Coach, and also every Carriage which shall not ply publicly for Hire, or stand for the soliciting of Passengers, but shall be let out to Hire for the Purpose of conveying from or to any Place within the Limits of this Act to or from any Place within or beyond the

6 & 7 W. 4. c. 29.

the said Limits any Person or Persons engaging the same by the Hour, Day, or otherwise by way of Job; the Words "Stage Carriage" shall include every Stage Carriage, Car, Omnibus, or other Carriage conveying Passengers at separate and distinct Fares between Places within the Limits of this Act, and also such as shall ply in like Manner between any of the said Places and any Place Ten Miles beyond the said Limits, except Carriages drawn or impelled by the Power of Steam or otherwise than by Animal Power, and shall also include every Carriage or other Vehicle, whether plying for Hire or not, which shall be used for public Accommodation, in conveying any Person from or to the Terminus of any Railway within the Limits of this Act to or from any Hotel, Coach Office, Caravan Office, Steam Packet, Steam Packet Office, or Railway Terminus, or other Place or Places whatsoever within or beyond the said Limits; and the Words "Limits of this Act" shall include every Place within the Police District of *Dublin* Metropolis as the same now is or shall hereafter be by Law defined; the Words "Job Horse" shall include every Horse let out for Hire, singly or otherwise, in the way of Job to draw any Carriage for the carrying of Persons from or to any Place within the Limits of this Act to or from any Place within or beyond the said Limits, such Carriage not being a Hackney, Job, Post, or Stage Carriage; the Word "Cart" shall include every Car, Cart, Dray, Caravan, or other Vehicle drawn by any Horse or other Beast of Burden, and not exclusively employed on the Line of any Railway or Tramroad, or intended for the carrying of any Person except the Driver, which shall be used or let out for Hire by any Body Corporate, Company, or Person whatsoever within the Limits of this Act, for the Land Carriage, Delivery, or Sale of any Goods, Wares, Produce, Manufacture, Utensils, Machinery, Matter, Commodity, or Thing, save and except Carts employed in bringing Hay, Corn, Straw, Vegetables, or Potatoes to Market, or Manure from Town; the Word "Proprietor" shall include every Person who shall either solely, or in Partnership with any other Person, be Owner of or concerned in using or letting to Hire any Hackney, Job, or Stage Carriage or Cart, or Job Horse; "Driver" shall include Proprietor or any Person engaged at the Time in driving a Hackney, Job, Stage Carriage, Cart, or Job Horse; the Word "Horse" shall include every Mare or Gelding, Mule, Ass, or other Beast of Burden or Draught; and every Word importing the Singular Number or the Masculine Gender only shall extend and be applied to several Persons and Things as well as to One Person or Thing, and *vice versâ*, and to Males as well as Females, and to Bodies Corporate as well as Individuals: Provided always, that nothing in this Act shall extend or be construed to extend to the imposing of any Duty in respect of any Mail Carriage or Cart employed exclusively in the Service of the General Post Office, and solely for the Purpose of conveying Mails or Letter Carriers actually on Duty, or of any Cart which shall be the Property of and be employed exclusively in the immediate Service of any Committee duly appointed by the Corporation of the Borough of *Dublin* for the Management of the paving, cleaning, watering, and lighting of the Streets, Lanes, and Avenues of *Dublin*, or of any Commissioners or public Bodies which now are or hereafter may be by Law duly authorized for the Management of the paving, cleaning, watering, and lighting the Streets, Lanes, Roads, and Avenues of any Town, District, or Place within the Limits of this Act, or of any Cart or other Carriage belonging to or for the exclusive public Use of any Department of Her Majesty's Service.

Short Title.

LXXXI. In citing this Act in other Acts of Parliament, or in legal Instruments or any Proceedings, it shall be sufficient to use the Expression "The *Dublin* Carriage Act, 1853."

Forms to be prepared by Commissioners.

LXXXII. The said Commissioners of the Metropolitan Police shall prepare and adopt Forms of Summonses, Warrants, Convictions, and other Proceedings, which, when so prepared and adopted, shall be as valid in Law as if specially set forth in this Act.

Misnomers not to affect the Execution of the Act.

LXXXIII. No Misnomer or inaccurate Description in the Schedules to this Act annexed, any Byelaw, Rule, or Order, shall prevent or in anywise affect the Operation thereof; but this Act, and every such Byelaw, Rule, and Order, shall apply and be enforced as fully and effectually to all Intents and Purposes as if the Subject of such Misnomer or Misdescription

Misdescription had been correctly named and described in such Schedule, Byelaw, Rule, or Order, provided the same be designated to common Intent and Understanding.

LXXXIV. This Act shall commence and take effect from and after the First Day of *January* One thousand eight hundred and fifty-four. Commencement of Act.

SCHEDULES to which the foregoing Act refers.

SCHEDULE (A.)

ACTS AND PARTS OF ACTS REPEALED.

Date of Act.	Title.	Extent of Repeal.
37 Geo. III. c. 58. -	An Act for amending and reducing into One Act of Parliament the Laws relating to Hackney and other Carriages plying in the City of Dublin, its Suburbs and Liberties, and within Seven Miles thereof.	The whole.
39 Geo. III. c. 56. -	An Act to amend an Act passed in the Thirty-fifth Year of the Reign of His late Majesty King George the Third, intituled "An Act for the more effectually preserving the Peace within the City of Dublin and the District of the Metropolis, and establishing a Parochial Watch in the said City;" and also to amend One other Act passed in the Thirty-sixth Year of the Reign of His late Majesty King George the Third, intituled "An Act to explain and amend an Act passed in the Thirty-fifth Year of the Reign of His late Majesty King George the Third, intituled 'An Act for the more effectually preserving the Peace within the City of Dublin and the District of the Metropolis, and establishing a Parochial Watch in the said City,' and for remedying the Abuses committed by Pawnbrokers within the District of the Metropolis or Three Miles thereof."	Sections 24 and 25, which amend and explain the said Act of the Thirty-seventh Year of the Reign of King George III.
40 Geo. III. c. 62. -	An Act for amending and making perpetual the several Laws for regulating the Watch in the District of the Metropolis, and for granting a further Duty upon Pawnbrokers.	Section 4, which enables Informers under the said Act of the Thirty-seventh Year of the Reign of King George III. to be competent Witnesses.

Date of Act.	Title.	Extent of Repeal.
44 Geo. III. c. 22. - Local. Declared to be a Public Act.	An Act for the better defraying the Charges for preserving the Peace within the City of Dublin, and establishing a Parochial Watch therein.	Sections 4, 5, and 6, whereby Power is given to the Superintendent Magistrate for the said District to license Persons who shall own, keep, or drive any Cart or other Vehicle used in the Business of Persons keeping Dairies, and to make Regulations for the Observance of all Persons leading or driving Carts or other Vehicles within the said District, and impose, inflict, and levy Fines for Breaches of the Regulations so established.
48 Geo. III. c. 140. -	An Act for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis.	Sections 60, 61, 62, and 63, whereby Power is given, amongst other things, to the Divisional Justices of the Castle Division of said District to issue and sign Licences theretofore exercised by the Superintendent Magistrate under the said Act passed in the Thirty-seventh Year of the Reign of King George III., so far as relates to any Vehicle described in or coming within the Provisions of this Act.
5 Geo. IV. c. 102. -	An Act to amend an Act of the Forty-eighth Year of the Reign of His late Majesty, for the more effectual Administration of the Office of a Justice of the Peace, and for the more effectual Prevention of Felonies, within the District of Dublin Metropolis.	Section 21, whereby Power is given to the Divisional Justices of the said Castle Division of said District, or any of them, to make Rules and Regulations for the Stands of Hackney Carriages and the Conduct of Drivers of any Carriages and Horses within said District.
4 & 5 Wm. IV. c. 90. Local. Declared to be a Public Act.	An Act for paving, watching, lighting, regulating, and otherwise improving the Town of Kingstown in the County of Dublin.	Section 129, enabling the Commissioners in said Act mentioned, from Time to Time, to appoint proper Places in the Town of Kingstown and the Limits thereof, as defined by said Act, where Hackney Carriages may stand and ply for Hire, and to make such Orders regulating the Number of such Hackney Carriages to stand in such Places respectively, and the Distances at which they shall stand from each other, and the Times at and during which they may stand and ply for Hire, and such other Orders and Regulations for the better ordering and regulating the said Hackney Carriages, and the Drivers or other the Person or Persons having the Management thereof respectively, as to such Commissioners shall seem proper, and from Time to Time to alter, amend, or repeal such Rules, Orders, and Regulations, and to make others in the Room thereof.

Date of Act.	Title.	Extent of Repeal.
6 & 7 Wm. IV. c. 117. Local. Declared to be a Public Act.	An Act to amend several Acts relating to the Harbour of Kingstown.	Section 37.—That Portion thereof which empowers the Commissioners of Kingstown Harbour to regulate, amongst other Matters and Things, all public Vehicles and Conveyances frequenting the Piers, Wharfs, and Quays of said Harbour, and the Drivers of same.
Ibid.	Ibid.	Section 43.—That Portion thereof whereby the said Commissioners are invested with all the Powers and Authorities whatsoever for the managing and punishing of Persons having Charge of Coaches, Cars, Carriages, Carts, Drays, or any other Vehicle whatsoever licensed by the Superintendent Magistrate for the Preservation of the Peace within the District of the City of Dublin, or other Person or Persons qualified for that Purpose in the City of Dublin, which are contained in the said Act passed in the Thirty-seventh Year of the Reign of King George III., or which are contained in any other Act or Acts of Parliament in force in Ireland relative to Coaches, Cars, Carriages, Carts, Drays, or any other Vehicles plying in the City of Dublin, its Suburbs, Liberties, and Environs.
Ibid.	Ibid.	Section 47.—That Portion thereof which empowers the said Commissioners to make Byelaws, Rules, Orders, and Regulations for regulating the Conduct and Direction of all Persons who shall frequent the Piers, Wharfs, and Quays of the said Harbour, with Coaches, Cars, Carriages, Carts, Drays, or other Vehicles, and ply the same for Hire.
1 Vict. c. 25. -	An Act to make more effectual Provisions relating to the Police in the District of Dublin Metropolis.	Section 23.—To prevent negligent or wilful Misbehaviour of Drivers of Carriages in the Streets or Highways.
1 & 2 Vict. c. 36. - Local. Declared to be a Public Act.	An Act to make further Provisions, and to amend the Acts relating to the Harbour of Kingstown and the Port and Harbour of Dublin.	Section 11.—That Portion thereof which enables the said Commissioners of Kingstown Harbour from Time to Time to make, alter, or vary Rules, Byelaws, and Regulations as to them may seem fit and expedient, for regulating the Conduct and Direction of all Persons who shall frequent the Piers, Wharfs, and Quays of the said Harbour, with Coaches, Cars, Carriages, Carts, Drays, or other Vehicles, and ply the same for Hire.

Date of Act.	Title.	Extent of Repeal.
2 & 3 Vict. c. 78. -	An Act to make further Provisions relating to the Police in the District of Dublin Metropolis.	Section 12, whereby the Divisional Justices of the Police District of Dublin Metropolis are empowered to exercise all such Rights, Powers, Privileges, Jurisdictions, and Authorities as might theretofore be exercised by the Divisional Justices of the Castle Division in relation to Hackney and other Carriages, or the Owners and Drivers thereof, with respect to Offences by them committed.
5 Vict. s. 2. c. 24.	An Act for improving the Dublin Police.	Sections 11, 12, and 13.
11 & 12 Vict. c. 113.	An Act for the further Amendment of the Acts relating to the Dublin Police.	The whole, with the Exception of Sections 1, 2, and 3.

SCHEDULE (B.)

Containing the DUTIES imposed by this ACT.

For and in respect of every Licence for a Hackney Carriage used or let to Hire within the Limits of this Act, for every such Licence - - - - -	£1 4s.
For and in respect of every Licence for a Job Carriage used or let to Hire within the Limits of this Act, and to be drawn by Two or more Horses, for every such Licence - - - - - - - - -	£8
For and in respect of every Licence for a Job Carriage used or let to Hire within the Limits of this Act, and to be drawn by One Horse only, for every such Licence - - - - - - - -	£5
For and in respect of every Licence for a Stage Carriage used or which shall ply within the Limits of this Act, for every such Licence - - - -	£8
For and in respect of every Licence for a Job Horse used or let to Hire within the Limits of this Act, without a Carriage, whether such Horse shall be used or let otherwise or not, for every such Licence - - - - -	£2
For and in respect of every Licence for a Cart or Dray used or let to Hire within the Limits of this Act, for every such Licence - - - -	12s.
For and in respect of every Licence to authorize any Person to act as Driver of any Hackney Carriage, or of any Job Carriage or Horse, or as Driver or Conductor of any Stage Carriage within the Limits of this Act, for every such Licence in the First Year thereof - - - - - - -	s. d. 2 6
And in every succeeding Year,	
For and upon every Renewal of such Licence - - - - - -	1 0

SCHE-

SCHEDULE (C.)

Containing FORMS of LICENCES under this ACT.

No. 1.

By the Commissioners of Police of the Police District of Dublin Metropolis.

Licence for a

No.

IN pursuance of the Powers vested in the Commissioners of Police of the Police District of Dublin Metropolis by an Act of Parliament passed in the Session of Parliament holden in the Years of the Reign of Her present Majesty, intituled [*here insert the Short Title of the Act*], I, the undersigned, being One of the said Commissioners, do hereby grant this Licence, together with a Plate as a Mark of Distinction corresponding in Number therewith, to of in the of Dublin, the said Licence to remain in force (unless revoked or otherwise determined under the Provisions of the said Act) for such Period as the said shall continue to pay the yearly Sum of being the annual Duty to be paid in respect thereof, the said Sum to be paid in [*here insert the Number of Payments*], that is to say [*here insert Periods for Payment of Duty*], in every successive Year, or in default of such Payment this Licence to be null and void and of no Effect; and this Licence shall be produced to the said Commissioners, or One of them, at all Time and Times, and from Time to Time, as the same shall be required or ordered by the said Commissioners, or any One of them, to be produced, and shall be subject to such Laws as are now or hereafter shall be in force for the better Regulation of and the Drivers thereof, and also all such other Rules, Orders, and Byelaws as are now in force or hereafter may be made by the Commissioners of Police for the Time being.

Given under my Hand this Day of One thousand eight hundred and fifty .

SCHEDULE (C.)

Containing FORMS of LICENCES under this ACT.

No. 2.

☞ This Licence, together with the Badge relating thereto, must be delivered up, if not renewed between the Day of and the Day of

Driver *or* Conductor of [*as the Case may be*].

No.

and Victoria, Cap.

DESCRIPTION.			LICENCE
Age		Years.	to of to act as Driver of licensed Carriages [*or* Conductor of Stage Carriages, *as the Case may be*,] within the Limits of the Dublin Metropolitan Police District, wearing the Badge No. [*here insert the Manner of wearing Badge*].
Height	Feet	Inches.	
Eyes			
Hair			
Complexion			

Dated Day of 185 .

Commissioner.

Metropolitan Police Office,
Dublin.

FORM

FORM of ENDORSEMENT of CHANGE of ABODE.

Date.	Memorandum of Change of Abode.		Entered at the Office.
	From	To	

SCHEDULE (E.)

TABLE of FEES RECEIVABLE under this ACT.

	s.	d
For every Summons	1	0
For every Warrant against the Person	1	0
For every Warrant of Distress	2	0
For every Recognizance to prosecute Appeal	2	6
For every Affidavit or Declaration if prepared by Declarant	0	6
For every Affidavit or Declaration if prepared in Office	1	0

CAP. CXIII.

An Act to amend the Procedure in the Superior Courts of Common Law in *Ireland*. [20th *August* 1853.]

'WHEREAS it is expedient to simplify and amend the Course of Procedure as to the Process, Practice, Pleadings, and Evidence in the Superior Courts of Common Law in *Ireland*, so as to make the same less dilatory and expensive, and to prevent substantial Justice from being defeated by reason of the Variety of Forms of Action, and the Technicalities and Prolixity of Pleadings, and the unnecessary Length of Records, and to consolidate the Provisions of several Statutes and Rules of Court relating to such Proceedings:' Be it therefore 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:

Commencement of Act.

I. The Provisions of this Act shall come into operation on the First Day of *January* One thousand eight hundred and fifty-four.

Short Title of Act.

II. In citing this Act in any Instrument, Document, Pleading, Proceeding, or Act of Parliament, it shall be sufficient Designation to use the Expression "The Common Law Procedure Amendment Act (*Ireland*), 1853."

Repeal of former Acts.

III. From and after the Commencement of this Act, the several Acts and Parts of Acts set forth in the Schedule A. to this Act annexed, so far as the said Acts or Parts of any Act relate to Personal Actions or Actions of Ejectment in the Superior Courts of Law in *Ireland*, and no further or otherwise, and to the Extent to which such Acts or Parts of Acts are by such Schedule expressed to be repealed, are hereby repealed, except as to anything done before the Commencement of this Act, and except so far as may be necessary for the Purpose of supporting and continuing any Proceeding heretofore taken upon any Action brought before the Commencement of this Act, and except as to the Recovery or Application of