

ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

****

CAP. XLVIII.

An Act to amend an Act of the Second and Third Years of His present Majesty, relating to Stage Carriages in *Great Britain;* and also to explain and amend an Act of the First and Second Years of His present Majesty, relating to Hackney Carriages used in the Metropolis.

[28th *August* 1833.]

WHEREAS an Act was passed in the Second and Third Years of the Reign of His present Majesty, intituled *An Act to repeal the Duties under the Management of the Commissioners of Stamps on Stage Carriages and on Horses let for Hire in* Great Britain, *and to grant other Duties in lieu thereof, and also to consolidate and amend the Laws relating thereto,* and it is expedient to alter and amend the said Act in the several Particulars herein-after mentioned; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, so much and such Part and Parts of the said recited Act as in any Manner regulate or restrict the Number of Passengers allowed to be carried on the Outside of any Stage Carriage, or regulate or relate to the Distribution or placing of or the Manner of carrying the Outside Passengers on any Stage Carriage, and also so much and such Part of the said recited Act as requires that a separate Division or

2 & 3 W. 4. c. 120.

So much of recited Act as relates to the Number or Distribution of Outside Passengers, or as requires a separate Division for

Luggage on the Roof of a Stage Carriage, repealed.

Space shall be allotted for Luggage on the Top or Roof of any Stage Carriage, shall be and the same is and are hereby repealed: Provided always, that nothing herein contained shall extend or be construed to extend to repeal or alter any Clause of the said recited Act by which any Penalty is imposed for conveying a greater Number of Passengers on the Outside of any licensed Stage Carriage than is specified and allowed in and by the Licence granted in respect of such Carriage.

Number of Outside Passengers allowed to be carried by Stage Carriages.

II. And be it enacted, That notwithstanding any thing in the said recited Act contained, any licensed Stage Carriage with Four Wheels or more, the Top or Roof of which shall not be more than Eight Feet and Nine Inches from the Ground, and the Bearing of which on the Ground shall not be less than Four Feet Six Inches from the Centre of the Track of the Right or off Wheel to the Centre of the Track of the Left or near Wheel, if such Carriage shall be licensed to carry any Number not more than Nine Passengers, shall be allowed to carry not more than Five of such Passengers outside; and if licensed to carry more than Nine and not more than Twelve Passengers, shall be allowed to carry not more than Eight of such Passengers outside; and if licensed to carry more than Twelve and not more than Fifteen Passengers, shall be allowed to carry not more than Eleven of such Passengers outside; and if licensed to carry more than Fifteen and not more than Eighteen Passengers, shall be allowed to carry not more than Twelve of such Passengers outside; and if licensed to carry any greater Number than Eighteen Passengers, shall be allowed to carry not more than Two additional Passengers outside for every Three additional Passengers which such Carriage shall be so licensed to carry in the whole; provided that in no Case a greater Number of Passengers shall be carried on the Outside of any Stage Carriage than the Licence relating thereto shall authorize to be carried on the Outside thereof; and if any greater Number of Outside Passengers shall be carried by any Stage Carriage than as hereinbefore specified and allowed, or if any Outside Passenger shall be carried by any Stage Carriage not expressly licensed to carry any Outside Passenger, the Driver of such Stage Carriage at the Time when such Offence shall be committed shall forfeit Five Pounds.

Penalty for carrying more Outside Passengers than are allowed, 5*l.*

Driver, Guard, and Children in Lap, not to be counted as Passengers; 2 Children under Seven Years reckoned as One Passenger.

III. And be it enacted, That the several Numbers of Outside Passengers by this Act allowed to be carried by any such Stage Carriage as aforesaid shall be reckoned exclusive of the Driver and also of the Conductor or Guard, if there shall be a Conductor or Guard of such Stage Carriage; and that no Child or Children in the Lap shall be counted as a Passenger or Passengers; and that no Child not in the Lap, but under Seven Years of Age, shall be so counted, unless there shall be more than One such Child, and if there shall be more than One such Child not in the Lap, but under Seven Years of Age, then Two of such Children shall be accounted equal to One Adult Person, and considered as One Passenger, and so on in the same Proportion.

No Person to sit on Luggage on the Roof, nor

IV. And be it enacted, That no Person shall be allowed to sit or be carried upon any Luggage placed on the Roof of any Stage Carriage, and that not more than One Passenger or other Person shall

shall be allowed to sit or be carried upon the Box with the Driver of any Stage Carriage; and that if any Person shall sit or be carried upon any Luggage placed as aforesaid, or if more than One Person besides the Driver shall sit or be carried upon the Box of any Stage Carriage, the Driver of such Stage Carriage at the Time when any such Offence shall be committed shall forfeit Five Pounds. more than One Person besides the Driver on the Box. Penalty 5*l.*

V. And be it enacted, That all Penalties which may be incurred under the Provisions of this Act may be prosecuted for and recovered by Information or Complaint before a Justice of the Peace in the Name of any Person who will inform or complain in that Behalf, by the same Ways and Means and in the same Manner and Form as are and is provided for the Recovery of any Penalty incurred under the said recited Act; and all Clauses, Regulations, and Provisions contained in the said recited Act, relating to the recovering, levying, or mitigating of the Penalties thereby imposed, shall be of full Force and Effect, and shall be applied and put in execution for the recovering, levying, and mitigating of the Penalties by this Act imposed, as fully and effectually to all Intents and Purposes as if such Clauses, Regulations, and Provisions had been repeated and specially enacted in this Act with reference to the Penalties by this Act imposed. Mode of recovering Penalties.

VI. Provided always, and be it enacted, That all pecuniary Penalties imposed by or incurred under this Act and under the said recited Act, or either of them, whether the same shall be sued or prosecuted for and recovered by or in the Name of His Majesty's Attorney General in *England*, or His Majesty's Advocate for *Scotland*, or the Solicitor of Stamps, or any other Officer of Stamp Duties in *England* or *Scotland* respectively, or for the Recovery of which any Information or Complaint shall be made or any Action or Suit commenced by any other Person or Persons whomsoever, shall go and be applied to the Use of His Majesty, any thing in the said recited Act to the contrary thereof notwithstanding; and all such Penalties shall be paid or remitted to the Solicitor of Stamps in the Manner directed by the said Act, and shall be deemed to be Part of His Majesty's Revenue arising from Stamp Duties, and shall accordingly be accounted for and paid by the said Solicitor to the Receiver General of Stamp Duties: Provided always, that it shall be lawful for the Commissioners of Stamps, at their Discretion, to give all or any Part of any such Penalties as Rewards to any Person or Persons who shall have detected the Offences for or in respect of which such Penalties shall have been incurred, or who shall have given Information which may have led to the Discovery thereof or to the Conviction of the Offenders. Application of Penalties.

VII. And whereas an Act was passed in the First and Second Years of the Reign of His present Majesty, intituled *An Act to amend the Laws relating to Hackney Carriages, and to Waggons, Carts, and Drays, used in the Metropolis, and to place the Collection of the Duties on Hackney Carriages, and on Hawkers and Pedlars, in* England, *under the Commissioners of Stamps;* and Doubts have arisen whether Carriages drawn or impelled by the Power of Steam, and The Act 1 & 2 W. 4. c. 22. not to extend to Steam Carriages.

and used for the Conveyance of Passengers for Hire, are Hackney Carriages, subject to the Duties and Regulations imposed and enacted by the said last recited Act; for removing such Doubts, be it enacted and declared, That nothing in the said last recited Act shall extend or be deemed or construed to extend to any Carriage drawn or impelled by the Power of Steam, or otherwise than by Animal Power.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1833.