

ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. XXXII.

An Act to repeal certain Parts of ſeveral Acts of the Parliament of *Ireland*, ſo far as relates to the limiting the Number of Perſons to be carried by Stage Coaches or other Carriages; for enacting other Limitations in lieu thereof; and for other Purpoſes relating thereto. [24th *May* 1810.]

WHEREAS the Number of Paſſengers to be conveyed by Stage Coaches and other Carriages plying for Hire in *Ireland*, have been limited upon certain Roads by ſeveral Acts paſſed in the Parliament of *Ireland*: And whereas it is expedient to repeal ſo much of the ſaid Acts as relates to the Limitation of Paſſengers, and the additional Tolls and Penalties which are thereby demandable and forfeited upon a greater Number being conveyed by ſuch Stage Coaches or other Carriages than are ſpecified in the aforeſaid Acts; and to enact other Proviſions and Regulations for carrying the aforeſaid Objects into effect; and to regulate the Conduct of the Owners and Drivers of ſuch Carriages; may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, ſo much of the ſeveral Acts of the Parliament of *Ireland*, as relate to the Limitation of Paſſengers to be conveyed by Stage Coaches and other Four-wheeled Carriages; alſo ſo much of ſaid Acts as relates to the additional Tolls and Penalties which are thereby demandable and

So much of ſuch Iriſh Acts as limits the Number of Paſſengers to be conveyed in Stage Coaches, &c. repealed.

and forfeited in caſe of a greater Number being conveyed by Stage Coaches and other Four-wheel Carriages than is ſpecified by the aforeſaid Acts; be and the ſame are hereby repealed.

Limiting the Number of Perſons to be conveyed by Stage Coaches, &c.

II. And be it further enacted, That from and after the Firſt Day of *July* One thouſand eight hundred and ten, any Coach, Berlin, Landau, Chariot, Diligence, Calaſh, Chaiſe Marine, or other Carriage with Four or more Wheels, by what Name ſoever the ſame is or ſhall hereafter be called, or known to be employed as a Public Stage Coach or Carriage for the Purpoſe of conveying Paſſengers for Hire to and from different Places in *Ireland*, and drawn by Four or more Horſes, ſhall be allowed to carry Six Inſide and Ten Outſide Paſſengers, and no more, excluſive of the Coachman, but including the Guard (where there is a Guard with ſuch Coach); and that One of ſuch Paſſengers, and no more, ſhall be allowed to ſit upon the Box with the Coachman, Three of ſuch Paſſengers on the Front of the Roof, and the Remaining Six behind, in the Manner the moſt ſafe and convenient for the ſaid Paſſengers; and that all Stage Coaches or other Carriages above deſcribed, drawn by Two or Three Horſes, ſhall be allowed Four Outſide Paſſengers, and no more, excluſive of the Coachman; and that all Stage Coaches called Long Coaches or Double-bodied Coaches, ſhall be permitted to carry in all Sixteen Paſſengers and no more, excluſive of the Coachman, but including the Guard (where there is a Guard with ſuch Coach) under ſuch Fines or Penalties as are by this Act impoſed in Caſes where more Paſſengers are carried than are allowed by this Act: Provided always, that no Child in the Lap or under Seven Years of Age ſhall be included in or counted as One of ſuch Number.

Number of Paſſengers to be conveyed to be ſpecified in the Licence,

III. And be it further enacted, That every Perſon who ſhall keep any Carriage to be employed as a public Stage Coach or other Carriage above deſcribed, for the Purpoſe of conveying Paſſengers for Hire to and from different Places in *Ireland*, ſhall in the Licence which he is hereby required to take out from the Commiſſioners of Stamps in the City of *Dublin*, ſpecify the Number of Paſſengers to be carried in or about ſuch Coach or other Carriage above deſcribed, and that no ſuch Licence ſhall in any Caſe be granted for more than Sixteen Inſide and Outſide Paſſengers in all excluſive of the Coachman.

and to be painted on the Doors of the Coach.

IV. And be it further enacted, That all and every Perſon or Perſons who ſhall be duly licenſed to keep any Coach or other Carriage above deſcribed, for the Purpoſe of conveying Paſſengers for Hire to and from different Places in *Ireland*, ſhall, and he, ſhe or they is and are reſpectively directed and required to paint or cauſe to be painted, within Six Months from the paſſing of this Act, on the Outſide of each Door of each ſuch Coach or other Carriage above deſcribed, or on ſome other conſpicuous Part thereof, in legible Characters of at leaſt one Inch and a Half in length, and in a different Colour from the Ground on which the ſame is painted, and in Words at length, the Number of Paſſengers which the Licence obtained for ſuch Carriages reſpectively ſhall ſpecify or expreſs, together with the Name or Names of the Perſon or Perſons or Firm of the Company of Proprietors to whom ſuch Coach or other Carriage ſhall belong; and if any Perſon or Perſons ſhall employ or make uſe of any ſuch Carriage as aforeſaid, for carrying any Paſſengers for Hire to and from different Places in *Ireland*, without being licenſed ſo to do, or without having the

ſaid Words painted on the Outſide of each Door of ſuch Carriage, or in ſuch other conſpicuous Part thereof and in ſuch manner as is herein-before directed, or if any Coachman or other Driver ſhall at any Time carry more Paſſengers than ſhall be ſpecified or expreſſed in the Licence for uſing ſuch Coach or other Carriage, every Perſon ſo offending ſhall for each and every ſuch Offence forfeit and loſe the Sum of Five Pounds, to be recovered and applied in the Manner herein-after ſpecified by this Act.

Luggage to be carried on the Top of the Coach.

V. And be it further enacted, That it ſhall not be lawful for any Driver, Owner or Proprietor of any ſuch Coach or other Carriage above deſcribed, going or travelling for hire, to carry or permit or ſuffer any Parcel or Parcels or Luggage whatever exceeding Two Feet in Height, to be conveyed on the Roof of any ſuch Coach, Mail Coach or other Carriage above deſcribed, drawn by four or more Horſes; and where Carriages are drawn by two or three Horſes, or are of the Deſcription called Long Coaches or Double-bodied Coaches, then ſuch Luggage not to exceed Eighteen Inches above the Roof; and every ſuch Owner or Driver acting contrary thereto, and being convicted of ſuch Offence, ſhall forfeit and pay the Sum of Five Pounds, ſaid Penalty to be recovered and applied in manner herein-after ſpecified.

Penalty on Drivers for Miſconduct to Paſſengers, &c.

VI. And be it further enacted, That in caſe the Driver of any ſuch Coach or other Carriage above deſcribed, or the Perſon acting as Guard, ſhall by reaſon of Intoxication, Negligence, or other Miſconduct, endanger his Paſſengers in their Lives or their Property, or the Property of any other Perſon with which they may be entruſted, or ſhall loiter on the Road, or wilfully miſpend or loſe Time, or ſhall uſe abuſive or inſulting Language to any Paſſengers, or ſhall demand or exact more than the Fare due from any Paſſenger, or ſhall not in all poſſible Caſes travel at the Speed of ſuch a Number of Miles an Hour as are fixed and expreſſed in and by the Time-bill carried with the ſame, unleſs the Circumſtances of the Weather or the Occurrence of any Accident to the Coach or Horſes ſhall prevent the ſame; then and in every ſuch Caſe the Driver or Guard (as the Caſe may be) of ſuch Coach or other ſuch Carriage, ſo offending and being convicted thereof, ſhall forfeit and pay the Sum of Five Pounds for every ſuch Offence, over and above the Sum or Sums of Money ſo embezzled, and ſhall make Compenſation for all Damage or Loſs occaſioned by their Miſconduct; ſuch Penalty to be recovered and applied in Manner herein-after ſpecified; and in caſe of Non-payment every ſuch Offender ſhall be committed to the Common Gaol or Houſe of Correction of the County, City, Town, Diviſion or Place where ſuch Offence ſhall have been committed, or where ſuch Offender is actually preſent, there to remain without Bail or Mainprize for any Time not exceeding Two Months nor leſs than Fifteen Days, at the Diſcretion of the Juſtice or Juſtices by or before whom any ſuch Offender ſhall be convicted.

Drivers not to leave their Horſes until a proper Perſon ſhall ſtand at their Head.

VII. And be it further enacted, That in caſe the Driver of any ſuch Coach or other Carriage above deſcribed going or travelling for Hire, ſhall (at any Place or Places where Aſſiſtance can be procured), quit his Horſes or the Box of ſuch Coach or other Carriage above deſcribed, until a proper Perſon or Perſons ſhall ſtand at the Head of the Horſes or Forehorſes, ſo as to prevent them from running away, ſuch Perſon or Perſons

to remain at their Head until the Driver has returned to his Box, and if such Driver shall neglect to attend to the same; he or they being duly convicted thereof, shall be subject to and forfeit and pay a Penalty of Five Pounds for each Offence, such Penalty to be recovered and applied in manner herein-after specified; and in case of Non-payment, every such Offender shall be committed to the Common Gaol or House of Correction of the County, City, Town, Division or Place where such Offence shall have been committed, or where such Offender is actually present, there to remain without Bail or Mainprize for any Time not exceeding One Month nor less than Fifteen Days at the Discretion of the Justice or Justices by or before whom any such Offender shall be convicted: Provided nevertheless, that nothing in this Section or Clause contained shall extend or be construed to extend to Hackney Coaches being drawn by Two Horses only.

Summons for the Driver left with the Book-keeper to be good Service.

VIII. And be it further enacted, That any Summons issued by any Justice of the Peace, commanding any Driver or Guard of any Coach or other Carriage above described, to appear before him at such Time or Place as to such Justice shall seem meet, for any Offence committed against this Act, shall be deemed good and sufficient Service in case the same be left with the known or acting Book-keeper, or any other Person having the Care of any Office where Places are usually taken or Parcels received for such Coach or other Carriage above described.

Penalty on Peace Officers neglecting to execute Warrants.

IX. And be it further enacted, That if any Constable or other Peace Officer shall refuse or neglect to execute any Warrant granted by any Justice of the Peace under this Act, every such Person so offending, and being convicted thereof, shall for every such Offence forfeit and pay the Sum of Forty Shillings; and in case the Person so convicted doth not forthwith pay or secure to be paid the said Penalty, then it shall be lawful for such Justice or Justices of the Peace to commit such Person to the Common Gaol or House of Correction of the County, City, Town, Division or Place, there to remain without Bail or Mainprize for any Time not exceeding One Month, unless the said Penalty shall be sooner paid.

Justices, &c. may mitigate Penalties.

X. And be it further enacted, That if any Justice, Mayor, Bailiff or other Chief Officer before whom any Person shall have been convicted for any Offence against the Provisions of this Act, shall see Cause to mitigate any Penalty, every such Justice, Mayor, Bailiff or other Chief Officer may mitigate or lessen the same to any Sum not less than Half of the Penalty or Forfeiture incurred, over and above all reasonable Costs and Charges expended or incurred in the Prosecution; and that One Moiety of the Penalty so imposed, with the said Costs and Charges, shall be paid to the Informer, and the other Moiety shall be paid either to the Clergyman of the Parish where such Offence is committed, or to the Clergyman of the Parish where such Justice resides, for the Use of the Poor of such Parish; such Penalty to be recovered in Manner herein-after specified.

Offences to be tried before a Justice, &c.

XI. And be it further enacted, That all Offences committed against this Act shall and may be cognizable, and determined by and before any One or more Justice of the Peace, or before any Mayor, Bailiff or other Chief Officer for any County, Shire, City, Borough, or Town Corporate, or Place where any such Offence may happen to be committed, or

where the Offender is actually preſent, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, or upon the voluntary Confeſſion of the Party, which Oath every ſuch Juſtice, Mayor, Bailiff or other Chief Officer is hereby required to adminiſter, and upon Proof of any ſuch Offence to give Judgement or Sentence for the Forfeiture or Penalty incurred, and for the reaſonable Coſts and Charges of the Proſecution (ſuch Penalty and Coſts to be levied by Diſtreſs and Sale of the Goods of ſuch Offender, by Warrant under the Hand and Seal of ſuch Juſtice or other Magiſtrate) or to commit the Perſon or Perſons ſo convicted to the Common Gaol or Houſe of Correction for the ſaid County, Shire, Borough, Town Corporate or Place, for ſuch Time as is herein-before ſpecified by the Proviſions of this Act.

Such Stage Coaches not to pay more Toll than other Coaches.

XII. And be it further enacted, That no Coach or other Carriage above deſcribed conveying Perſons for Hire, ſhall be charged or compelled to pay at any Toll or Turnpike Gate any greater Toll than is paid by other Coaches or Carriages drawn by an equal Number of Horſes, any Thing in any Act contained to the contrary in anywiſe notwithſtanding.

Forms of Proceedings ſet forth in Schedule, to be uſed on all Occaſions.

XIII. And be it further enacted, That the Forms of the Proceedings relative to the ſeveral Matters contained in this Act which are ſet forth and expreſſed in the Schedule hereunto annexed, may be uſed upon all Occaſions, and with ſuch Additions or Variations as may be neceſſary to adapt them to the particular Circumſtances of the Caſe; and that no Objection ſhall be allowed to be made or Advantage taken on account of want of Form in any ſuch Proceedings.

Publick Act.

XIV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged and taken to be a Public Act, and be judicially taken Notice of as ſuch by all Judges, Juſtices and other Perſons whomſoever, without being ſpecially pleaded.

The SCHEDULES to which this Act refers.

Forms of PROCEEDINGS mentioned in the foregoing Act.

INFORMATION.

BE it remembered, That on the Day of One thouſand eight hundred and *A. B.* of in the ſaid County, informeth me One of His Majeſty's Juſtices of the Peace for the ſaid County, that [*here deſcribe the Offence particularly, and follow the Words of the Act as near as may be*] contrary to the Statute made in the Fiftieth Year of the Reign of King *George* the Third, intituled, An Act for [*here inſert the Title of this Act*] which hath impoſed a Forfeiture of for the ſaid Offence. Received the Day of by me

C. D.

SUMMONS for any Perſon or Perſons to attend a Juſtice.

To *A. B.* of

WHEREAS Complaint and Information hath been made before me *C. D.* One of His Majeſty's Juſtices of the Peace for the ſaid [*County, et cetera*] That, *et cetera* [*here ſtate the Nature and Circumſtances of the Caſe, as far as it ſhall be neceſſary to ſhew the Offence and to bring it within the Authority of the Juſtice, and in doing that follow the Words of the Act as near as may be*] Theſe are therefore to require you perſonally to appear before me, or ſuch other of His Majeſty's Juſtices of the Peace for the ſaid [*County, et cetera*] on the Day of next, at the Hour of in the noon, to anſwer the ſaid Complaint and Information; and further to do and receive what to the Law ſhall appertain. Herein fail not. Given under my Hand and Seal this Day of One thouſand eight hundred and

FORM

FORM of CONVICTION.

BE it remembered, That on the Day of in the Year of our Lord One thouſand eight hundred and at in the County of aforeſaid, *A. B.* came before me, *C. D.* One of His Majeſty's Juſtices of the Peace for the ſaid [*County, et cetera*] and informed me, That *et cetera* [*here ſet forth the Fact in the Manner deſcribed by the Act*] whereupon the ſaid *E. F.* after being duly ſummoned to anſwer ſaid Charge, appeared before on the Day of at in the ſaid County; and having heard the Charge contained in the ſaid Information, declared that he was not guilty of the ſaid Offence; but the ſame being fully proved upon the Oath of *G. H.* a credible Witneſs, it manifeſtly appears to me the ſaid Juſtice, that he the ſaid *E. F.* is guilty of the Offence charged upon him in the ſaid Information; it is therefore conſidered and adjudged by me the ſaid Juſtice, that he the ſaid *E. F.* be convicted, and I do hereby convict him of the Offence aforeſaid; and I do hereby declare and adjudge, that he the ſaid *E. F.* hath forfeited the Sum of of lawful Money of Great Britain, for the Offence aforeſaid, to be diſtributed as the Law directs, according to the Form of the Statute in that Caſe made and provided. Given under my Hand and Seal the Day of One thouſand eight hundred and

After the Words "being duly ſummoned to anſwer the ſaid Charge," inſert [*did not appear before me purſuant to the ſaid Summons*] or [*did neglect and refuſe to make any Defence againſt the ſaid Charge, but the ſame being fully proved, et cetera*] as before: After the Words "contained in the ſaid Information," inſert [*acknowledged and voluntarily confeſſed the ſame to be true; and it manifeſtly appears to me the ſaid Juſtice, et cetera*] as above.

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN, Printers to the King's moſt Excellent Majeſty. 1810.