ANNO QUINQUAGESIMO

GEORGII III. REGIS.

CAP. XLVIII.

An Act to repeal Three Acts, made in the Twenty-eighth, Thirtieth, and Forty-sixth Years of His present Majesty, for limiting the Number of Persons to be carried on the Outside of Stage Coaches or other Carriages, and to enact other Regulations for carrying the Objects of the said Acts into Effect.

[9th *June* 1810.]

WHEREAS an Act was passed in the Twenty-eighth Year of the Reign of His present Majesty, intituled, *An Act for limiting the Number of Persons to be carried on the Outside of Stage Coaches or other Carriages:* And whereas another Act was passed in the Thirtieth Year of His present Majesty, intituled, *An Act to alter, explain, and amend an Act, made in the Twenty-eighth Year of the Reign of His present Majesty, intituled, 'An Act for limiting the Number of Persons to 'be carried on the Outside of Stage Coaches or other Carriages,' and for regulating the Conduct of the Drivers and Guards thereof:* And whereas another Act was passed in the Forty-sixth Year of the Reign of His present Majesty, intituled, *An Act to alter and amend Two Acts, made in the Twenty-eighth and Thirtieth Years of His present Majesty, for limiting the Number of Persons to be carried on the Outside of Stage Coaches or other Carriages, and regulating the Conduct of the Drivers thereof:* And whereas

28 G. 3. c. 57.

30 G. 3. c. 36.

46 G. 3. c. 136.

the

the Regulations and Penalties eſtabliſhed and impoſed by the ſaid recited Acts have proved inſufficient to anſwer the uſeful and important Purpoſes thereby intended; and it is expedient to repeal the ſame, and to enact other Proviſions and Regulations for carrying the Objects of the ſaid Acts into Effect: 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,

Recited Acts repealed.

That, from and after the paſſing of this Act, the ſaid ſeveral Acts ſhall be and the ſame are hereby repealed.

Limiting the Number of Perſons to be carried by Stage Coaches as Outſide Paſſengers, &c.

II. And be it further enacted, That, from and after the paſſing of this Act, 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 publick Stage Coach or Carriage, for the Purpoſe of conveying Paſſengers for Hire to and from different Places in *Great Britain*, and drawn by Four or more Horſes, ſhall be allowed to carry Ten Outſide Paſſengers and no more, excluſive of the Coachman, but including the Guard, where there is a Guard with ſuch Coach or other Carriage; and that One Paſſenger and no more ſhall be allowed to ſit upon the Box with the Coachman, and 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: Provided always, that no ſuch Paſſenger or Paſſengers ſhall be allowed to ſit on the Luggage, or that Part of the Roof allotted for the ſame; and that all Stage Coaches or other Carriages above deſcribed, drawn by Two or Three Horſes, ſhall be allowed Five 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 Eight Outſide 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 Outſide Paſſengers are carried than are allowed by this Act; ſuch Fines and Penalties to be impoſed and levied upon the Owner or Proprietor, or the Owners or Proprietors of any ſuch Coach or other Carriage above deſcribed, or any One or more of them, or any Perſon driving the ſame, in the Manner after mentioned: 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, unleſs there ſhall be more than One; and if more than One, that Two of ſuch Children ſhall be accounted equal to One grown Perſon, and ſo on in the ſame Proportion; and that no Perſon paying as an Outſide Paſſenger ſhall be permitted to ſit or remain as an Inſide Paſſenger, unleſs with the Conſent of One of the Inſide Paſſengers at the leaſt conveyed by ſuch Coach or other Carriage, and next to whom ſuch Outſide Paſſenger ſhall be placed: And provided alſo, that where ſuch Coach or other Carriage is of a Conſtruction peculiarly wide or commodious, and being ſo found ſhall be duly licenſed for that Purpoſe, Four Outſide Paſſengers inſtead of Three ſhall be allowed to ſit on the Front of ſuch Coach or other Carriage: Provided always, that the Number of Outſide Paſſengers ſhall not exceed Ten in all.

III. Provided

After March 1, 1811, Neither Luggage nor Outside Paſſengers ſhall be carried, unleſs the Coach be of the Height herein mentioned.

III. Provided always, and be it further enacted, That from and after the First Day of *March* One thouſand eight hundred and eleven, it ſhall not be lawful for any Driver, Owner, or Proprietor of any Coach or other Carriage above deſcribed, going or travelling for Hire, to permit or ſuffer in any Manner or Way any Luggage to be carried on the Roof of any ſuch Coach or other Carriage, or any Perſon to ride or go as an Outſide Paſſenger on or about the Outſide of any ſuch Coach or other Carriage, the Top of which ſhall be more than Eight Feet Nine Inches from the Ground, or the Bearing of which on the Ground ſhall 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, under the Penalty of Five Pounds for each Offence, to be recovered and applied in the ſame Manner as any Penalty for more Outſide Paſſengers than are allowed by this Act can be recovered and applied.

Penalty.

No Luggage exceeding a certain Height, to be carried on the Roof of any Coach.

IV. And be it further enacted, That from and after the paſſing of this Act, it ſhall not be lawful for any Driver, Owner, or Proprietor of any ſuch Coach, Mail 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, then ſuch Luggage not to exceed Eighteen Inches above the Roof; and every ſuch Driver ſo offending, and any Owner or Proprietor of any ſuch Coach or other Carriage, where ſuch Driver is not known or cannot be found, being convicted of ſuch Offence, either by his or her own Confeſſion, the view of a Juſtice of the Peace or other Magiſtrate, or the Oath or Oaths of One or more credible Witneſs or Witneſſes, before any Juſtice of the Peace or other Magiſtrate acting in and for the County, Riding, City, Town, Diviſion, or Place where any Offence ſhall be committed, (which Oath every ſuch Juſtice or other Magiſtrate is hereby authorized and required to adminiſter) ſhall forfeit and pay the Sum of Five Pounds for every Inch above the Space of Two Feet or of Eighteen Inches reſpectively above allowed; and in caſe the Driver ſo offending ſhall be the Owner of ſuch Coach, Mail Coach, or other Carriage above deſcribed, he ſhall forfeit the Sum of Ten Pounds for every Inch above the Spaces reſpectively above allowed; and in default of Payment of the ſaid Penalties reſpectively, the Perſon and Perſons ſo offending ſhall be committed to the Common Gaol or Houſe of Correction of the County, Riding, City, Town, Diviſion, or Place where ſuch Offence ſhall have been committed, there to remain without Bail or Mainprize for the Space of Two Months, unleſs ſuch Penalties ſhall be ſooner paid: Provided always, that all Packages herein-before deſcribed, ſhall be ſo placed on the Roof of ſuch Coach, Mail Coach, or other Carriage above deſcribed, as that no Paſſenger or Paſſengers ſhall ſit thereon, under the Penalty of Fifty Shillings for each Offence; to be paid by ſuch Paſſenger or Paſſengers reſpectively, and to be recovered and applied in the ſame Manner as the other Penalties impoſed by this Act, and that the Diviſion or Space on the Top of the Coach or other Carriage aforeſaid allotted for Luggage, ſhall be diſtinctly ſeparated from the other Part of the Top of ſuch Coach or other Carriage, by ſome Railing or otherwiſe; and in caſe any ſuch Driver or Owner or Part Owner, when required ſo to do, ſhall refuſe

Penalty.

Packages to be placed ſo as no Paſſenger ſhall ſit thereon.

refuſe to permit the ſaid Carriage and Luggage to be meaſured by any Juſtice of the Peace, Magiſtrate, Conſtable, Surveyor of any Highway or Turnpike Road, Inſpector of Coaches duly authorized by the Commiſſioners of Stamps, or Paſſenger, he ſhall forfeit the like Penalty, to be recovered and applied in the Manner herein-after ſpecified.

Luggage may be carried of a greater Height than Two Feet, if not more than 10 Feet 9 Inches from the Ground.

V. And whereas it is expedient to lower the preſent Height of Stage Coaches, in which caſe a greater Height of Luggage than Two Feet might be ſafely permitted to be carried on the Outſides thereof; be it therefore enacted, That it ſhall be lawful to carry any Luggage, Parcel, or other Package in Manner herein-before provided for on the Roof of any Coach or other Carriage above deſcribed of a greater Height than Two Feet; provided ſuch Luggage, Parcel, or other Package be not a greater Height from the Ground, including the Height of ſuch Coach, than Ten Feet Nine Inches.

Number of Paſſengers permitted to be carried, to be ſpecified in the Licence;

VI. And be it further enacted, That in every Licence to be taken out by any 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 *Great Britain*, ſhall be ſpecified the Number of Outſide Paſſengers to be carried on or about the Outſide of ſuch Coach or other Carriage above deſcribed, as well as the Number of Inſide Paſſengers to be carried therein as now by Law directed; and that no ſuch Licence ſhall in future be granted for more than the Number of Inſide and Outſide Paſſengers in all allowed by Law, and that ſuch Licence ſhall contain the Name or Names, and the Places of Abode of every Individual to whom ſuch Coach or other Carriage ſhall belong, a Copy of which Licence ſhall be acceſſible at the Board or Office where ſuch Licence is iſſued to any Perſon or Perſons applying either for a Copy of or for the Peruſal of the ſame.

and to be painted on the Doors of the Coach.

VII. 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 *Great Britain*, (Mail Coaches always excepted), 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 in Length, and in a different Colour from the Ground on which the ſame is painted, and in Words at Length, the Number of Outſide Paſſengers which the Licence obtained for ſuch Carriages reſpectively ſhall ſpecify or expreſs (as well as and in like Manner as the Number of Inſide Paſſengers as now by Law directed) together with the Name or Names of the Perſon or Perſons, or the Company of Proprietors or Firm to whom ſuch Coach or other Carriage ſhall belong: Provided always, that it ſhall be lawful for any Board of Commiſſioners by whom ſuch Licence ſhall be granted, to require inſtead of ſuch Inſcription that a Plate made of Braſs or other Metal ſhall be fixed on the Side of each Coach or other Carriage above deſcribed, with the Name or Names of the Perſon or Perſons, or the Company of Proprietors or Firm, and a diſtinct Number for each, to the end that the Owner or Owners, and Driver of

Commiſſioners for granting Licences, may order a Braſs Plate on the Side of each Coach, with the Owner's

ſuch

such Coach or Carriage shall be known; and if any Person, Company of Proprietors, or Firm, shall be licensed to keep more than One Coach, every one of them shall have several Numbers or other Marks of Distinction, in the same Manner as if they did belong to several Persons; and if any Person shall blot out, obliterate, alter, or deface the Number, Figure, or Mark of Distinction appointed by the said Commissioners, he shall forfeit Five Pounds for every such Offence; and if any Person or Persons shall employ or make use of any such Carriage as aforesaid, for carrying any Outside Passengers for Hire to and from different Places in *Great Britain*, without being licensed so to do, or without having the said Words and Number and Name or Names 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 shall at any Time carry more Outside Passengers than shall be specified or expressed in the Licence for using such Coach or other Carriage, and by the Words so painted on the Outside of such Doors or other conspicuous Part of such Carriage, or the numbered Plate, every Person so offending shall for each and every Offence forfeit and pay the Sum of Ten Pounds for each Outside Passenger beyond the Number hereby allowed, and Double that Sum if the Driver or Coachman be also Owner or Part Owner, to be recovered and applied in the same Manner as any other Penalty imposed by this Act can be recovered and applied; and every such Inscription or Plate, as the case may be, to be considered sufficient Evidence of the Parties to whom such Coach or other Description of Carriage above enumerated doth belong, being Owner or Proprietor thereof.

Name, &c. instead of the above Inscription.

Penalty.

VIII. And be it further enacted, That in case the Driver of any such Coach or other Carriage above described, going or travelling for Hire, and conveying a greater Number of Persons in any Manner or Way in the Inside, or on or about the Outside of any such Coach or other Carriage above described, than are allowed by this Act, or permitting more than One Passenger to sit upon the Box (which Box shall be so constructed as not conveniently to hold more than One Passenger besides the Coachman), shall not be known, or being known cannot be found, then and in every such Case the Owner or Owners, Proprietor or Proprietors, or any of them, of any such Coach or other Carriage above described, shall be liable to all such Fines and Penalties as if such Owner or Owners, Proprietor or Proprietors, had been the Driver only of any such Coach or other Carriage above described, at the Time that such Offence was committed: Provided always, that if any such Owner or Proprietor shall make out to the Satisfaction of the Justice of the Peace or other Magistrate above mentioned before whom any such Information shall be laid, by sufficient Evidence not resting on his own Testimony, that the Offence was committed by the Driver of the Coach or other Carriage without his Privity or Knowledge, and that no Profit, Advantage, or Benefit, either directly or indirectly, has accrued, or could or would have accrued to such Owner or Proprietor therefrom, but that such Offence was committed against this Act by such Driver in Violation of his Duty to the Owner or Proprietor, as well as against the Provisions of this Act, such Justice of the Peace or other Magistrate above mentioned shall discharge the Owner or Proprietor from such Penalty and Expence, and levy the same upon the Driver only, when found; and such Driver, unless he pays the Penalty for which

Owners of Stage Coaches shall be liable to Penalties in case Drivers cannot be found.

Owners relieved from Penalties in certain Cases.

which he is liable in conſequence of ſuch Offence, ſhall be committed to the Common Gaol or Houſe of Correction of the County, Riding, City, Town, Diviſion, or Place where ſuch Offence ſhall have been committed, there to remain, without Bail or Mainprize, for any Time not exceeding Six Months, nor leſs than Three Months, at the Diſcretion of the Juſtice or other Magiſtrate above mentioned, by or before whom any ſuch Offender ſhall be convicted.

Summons left with Book-keeper, &c. to be good Service.

IX. And be it further enacted, That any Summons iſſued by any Juſtice of the Peace or other Magiſtrate above mentioned, commanding any Driver, Owner, or Proprietor of any Coach or other Carriage above deſcribed, or any Perſon or Perſons or Company of Proprietors, or Firm of any Company, to whom ſuch Coach or other Carriage above deſcribed ſhall belong, to appear before him at ſuch Time or Place as to ſuch Juſtice or other Magiſtrate above mentioned ſhall ſeem meet, for any Offence committed againſt this Act, or a Copy thereof, ſhall be deemed to be well and ſufficiently ſerved, in caſe either the Original or a Copy of ſuch Summons be left with the known or acting Book-keeper for ſuch Coach or other Carriage above deſcribed, in any Town or Place into or through which any Driver offending as aforeſaid ſhall drive ſuch Coach or other Carriage.

Penalty on Drivers leaving their Horſes or neglecting their Duty.

X. And be it further enacted, That the Driver of any ſuch Coach, Mail Coach, or other Carriage above deſcribed, going or travelling for Hire, ſtopping at any Place or Places where Aſſiſtance can be procured, ſhall not quit his Horſes or the Box of ſuch Coach or other Carriage above deſcribed, until a proper Perſon or Perſons ſhall be employed to hold the Horſes or Fore Horſes whilſt ſuch Carriage ſtops, ſo as to prevent them from running away, and ſhall have actual hold of ſuch Horſes, and that ſuch Perſon or Perſons ſhall hold the ſame until the Driver has returned to his Box, or until the Poſtboy who rides one of the Horſes is again mounted, and has in his Hands the Reins for guiding the ſaid Horſes, and if ſuch Driver or ſuch Perſon or Perſons ſhall neglect ſo to do, he or they being duly convicted thereof by his or their Confeſſion, the View of a Juſtice or other Magiſtrate above mentioned, or by the Oath of One or more credible Witneſs or Witneſſes taken before any Juſtice or other Magiſtrate above mentioned, ſhall be ſubject to and forfeit and pay a Penalty of not leſs than Ten Shillings nor more than Five Pounds for each Offence: 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.

Penalty on Drivers incapable of driving from Intoxication or otherwiſe, or retarding the Mails, or not accounting to their Employers, &c.

XI. Provided nevertheleſs, and be it further enacted, That in caſe the Driver of any ſuch Coach, Mail Coach, or other Carriage above deſcribed, or the Perſon acting as Guard, ſhall, by Intoxication or by Negligence or other Miſconduct (unavoidable Accidents always excepted), endanger the Safety of the Paſſengers in their Lives, their Limbs, or their Property, or ſhall not give due Care or Protection to any other Property with which ſuch Driver or Guard, or either of them, may be entruſted; or if any Driver of any Mail Coach, or any Guard, ſhall loiter on the Road or wilfully miſpend or loſe Time ſo as to retard the Arrival of His Majeſty's Mails at the next Stage; or if the Driver of any Mail Coach ſhall not in

all poſſible Caſes convey ſuch Mails at the Speed of ſuch a Number of Miles an Hour as are fixed by the Poſtmaſter-General for the Conveyance thereof, unleſs the Circumſtances of the Weather, or the Badneſs of the Roads, or the Occurrence of any Accident to the Coach or Horſes, ſhall prevent the ſame; or if any Driver or Guard of any ſuch Coach, Mail Coach, or other Carriage, ſhall not duly account to his or their Employers, or Perſons authorized by them to account with ſuch Driver or Guard for all Monies received by him, them, or either of them, in reſpect of any Paſſenger or Parcel conveyed or taken by ſuch Coach or other Carriage above deſcribed, then and in every ſuch Caſe the Driver or Guard (as the Caſe may be) ſo offending, and being convicted thereof by his own Confeſſion, the View of a Juſtice (in any Caſe applicable thereto), or the Oath or Oaths of One or more credible Witneſs or Witneſſes, before any Juſtice or other Magiſtrate above mentioned, ſhall forfeit and pay a Sum not leſs than Five Pounds nor more than Ten Pounds for every ſuch Offence, and ſhall return the Sum or Sums of Money ſo embezzled; and in caſe of Non-payment, every ſuch Juſtice or other Magiſtrate above mentioned are hereby authorized to commit ſuch Offender to the Common Gaol or Houſe of Correction for the County, Riding, City, Town, Diviſion, or Place where ſuch Offence ſhall have been committed, there to remain, without Bail or Mainprize, for any Time not exceeding Six Months nor leſs than Three Months, at the Diſcretion of the Juſtice or other Magiſtrate above mentioned, by or before whom any ſuch Offender ſhall be convicted.

Penalty on Driver inſulting Paſſengers or exacting more than the Sum to which he is legally entitled.

XII. And be it further enacted, That in caſe the Driver or Guard of any ſuch Coach or other Carriage above deſcribed, ſhall uſe abuſive or inſulting Language to any Paſſenger, or ſhall inſiſt on and exact more than the Sum to which he is legally entitled. then and in every ſuch Caſe the Driver or Guard (as the Caſe may be) ſo offending, and being convicted thereof by his own Confeſſion, or the Oath or Oaths of One or more credible Witneſs or Witneſſes, before any Juſtice or other Magiſtrate above mentioned, ſhall forfeit and pay a Sum not leſs than Five Shillings nor more than Forty Shillings for every ſuch Offence; and in caſe of Non-payment, every ſuch Juſtice or other Magiſtrate above mentioned are hereby authorized to commit ſuch Offender to the Common Gaol or Houſe of Correction of the County, Riding, City, Town, Diviſion, or Place where ſuch Offence ſhall have been committed, there to remain, without Bail or Mainprize, for any Time not exceeding One Month, nor leſs than Three Days, at the Diſcretion of the Juſtice or other Magiſtrate above mentioned, by or before whom any ſuch Offender ſhall be convicted.

Penalty on Peace Officers neglecting to execute Warrants.

XIII. And be it further enacted by the Authority aforeſaid, That if any Conſtable or other Peace Officer ſhall refuſe or neglect to execute any Warrant granted by any Juſtice of the Peace or other Magiſtrate above mentioned, purſuant to the Directions of this Act, every ſuch Perſon ſo offending, and being convicted thereof before One or more Juſtice or Juſtices of the Peace, or other Magiſtrate or Magiſtrates above mentioned, either by his own Confeſſion or upon the Oath of One or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice or Juſtices, or other Magiſtrate or Magiſtrates above mentioned, is and are hereby authorized and required

required to adminiſter), ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds; 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, or other Magiſtrate or other Magiſtrates above-mentioned, to commit ſuch Perſon to the Common Gaol or Houſe of Correction of the County, Riding, City, Town, Diviſion, or Place where ſuch Offence ſhall be committed, there to remain, without Bail or Mainprize, for any Time not exceeding One Month, unleſs the ſaid Penalty ſhall be ſooner paid.

Paſſengermay require Toll Collector to count the Number of Paſſengers and meaſure the Height of the Luggage.

XIV. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, if the Driver of any Coach or other Carriage above deſcribed, drawn by Two or more Horſes and going or travelling for Hire, ſhall permit or ſuffer more than One Perſon on the Coach Box beſides himſelf, and a greater Number of Outſide Paſſengers than according to the Numbers allowed by this Act to be carried or conveyed by any ſuch Coach or Carriage above deſcribed reſpectively, it ſhall be lawful for any Outſide or Inſide Paſſenger who ſhall have been regularly booked, and who has actually paid for his Place, if conveyed by ſuch Coach or other Carriage, to require the Driver to ſtop ſuch Coach or Carriage at any Toll or Turnpike Gate, and to require the Collector of the Toll at ſuch Gate to count the Number of Paſſengers, or meaſure or aſcertain the Height of the Luggage upon ſuch Coach or other Carriage; and

Penalty for Refuſal.

if any ſuch Driver ſhall refuſe upon the Demand of any ſuch Paſſenger to ſtop any ſuch Coach or Carriage, or to permit or ſuffer the Collector at ſuch Toll or Turnpike Gate who ſhall be ſo required by any ſuch Paſſenger, to count the Number of Paſſengers and aſcertain the Height of the Luggage, or to make ſuch Examination, then in every ſuch Caſe the Driver of ſuch Coach ſhall forfeit the Sum of Five Pounds for every ſuch Refuſal, and ſhall, if more Paſſengers ſhall have been carried on ſuch Coach, or the Luggage ſhall exceed the Height allowed by this Act, forfeit for every ſuch Offence, the committing whereof ſhall have been prohibited as aforeſaid, double the Penalty impoſed by this Act for ſuch Offence, the One Half of ſuch Penalty to belong to the Toll Collector for his Trouble, and the other Half to the Paſſenger; and if any Toll Collector, upon being ſo required by any ſuch Paſſenger, ſhall neglect or refuſe to make ſuch Examination, he ſhall forfeit and pay the Sum of Five Pounds for each Offence, to be levied and applied in the ſame Manner as the other Penalties impoſed by this Act; and if any Perſon or Perſons ſhall endeavour to evade ſuch Examination, by deſcending from ſuch Coach or other Carriage above deſcribed, previous to its reaching any Turnpike Gate, and re-aſcending after it has paſſed ſuch Turnpike Gate, he ſhall forfeit and pay the Sum of Ten Pounds, to be recovered in the ſame Manner as the other Penalties hereby impoſed.

Penalty on Coachmen permitting other Perſons to drive, &c.

XV. And be it further enacted, That, from and after the paſſing of this Act, if the Coachman or Perſon having the Care of any Coach, Mail Coach or other Carriage above deſcribed, ſhall permit or ſuffer any other Perſon without the Conſent of a Proprietor, or againſt the Conſent of the Paſſengers, to drive the ſame, or ſhall quit the Box without reaſonable Occaſion, or for a longer Space of Time than ſuch Occaſion may require (although the Reins for guiding or driving the Horſes be left for the Time

in

in the Hands of the Paſſenger on the Box), or if the Coachman or Perſon having the Care of any Coach, Mail Coach or other Carriage above deſcribed, ſhall by furiouſly driving or by any Negligence or Miſconduct overturn the Carriage, or in any Manner endanger the Perſons or Property of the Paſſengers, or the Property of the Owners or Proprietors of ſuch Carriage (unavoidable Accidents always excepted), every ſuch Coachman or Perſon as aforeſaid ſo offending, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding Ten Pounds nor leſs than Five Pounds, to be levied and applied in the ſame Manner as the other Penalties impoſed by this Act.

Penalties how to be recovered.

XVI. And be it further enacted, That in all Caſes where any Penalties and Forfeitures incurred for any Offence committed againſt this Act, ſhall and may be recoverable before One or more Juſtices of the Peace, or before any other Magiſtrate above mentioned, every ſuch Juſtice or other Magiſtrate above mentioned is hereby required to adminiſter an Oath, and upon Proof of any ſuch Offence, ſhall give Judgement or Sentence for the Forfeiture or Penalty incurred, and for the reaſonable Coſts and Charges of the Proſecution; and if the ſame ſhall not be paid, ſhall 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 any Time not exceeding Three Months nor leſs than One Month, at the Diſcretion of the ſaid Juſtice or other Magiſtrate above mentioned, unleſs ſuch Perſon or Perſons ſhall enter into ſuch Recognizance with ſuch Surety before ſuch Juſtices or Juſtice, or other Magiſtrate as herein-before mentioned.

Juſtices may mitigate Penalties.

XVII. And be it further enacted, That if any ſuch Juſtice or other Magiſtrate above mentioned, before whom any Perſon ſhall have been convicted for any Offence againſt the Proviſions of this Act, ſhall ſee cauſe to mitigate ſuch Penalty, every ſuch Juſtice or other Magiſtrate above mentioned may mitigate or leſſen the ſame to any Sum not exceeding one Moiety of the Penalty or Forfeiture incurred, over and above all reaſonable Coſts and Charges expended or incurred in the Proſecution, and that One Half either of the whole or of the Moiety of ſuch Penalty, with the ſaid Coſts and Charges, ſhall be paid to the Informer for his own Behoof, or to be at his Diſpoſal for public Purpoſes (except in the Special Caſes above provided for), and the other Half ſhall be paid to the Truſtees of the Roads where ſuch Offence is committed, who are hereby required in Conſideration thereof to direct their Surveyors to watch over the due Execution of this Act, in the ſeveral Roads to the Superintendance of which they are reſpectively appointed.

Penalties how to be applied.

Guard firing off his Arms, except for Defence, ſhall forfeit 5 l.

XVIII. And be it further enacted, That if any Perſon going or travelling as a Guard to any Coach, Mail Coach, or other Carriage above deſcribed, ſhall fire off the Arms he is entruſted with, either while ſuch Coach or other Carriage is going on the Road or going through or ſtanding in any Town, otherwiſe than for the Defence of ſuch Coach or other Carriage, or the Paſſenger or Paſſengers therein, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of Five Pounds, to be recovered and applied in the ſame Manner as the other Penalties impoſed by this Act.

Where no ſpecific Penalties are provided for Offences, Juſtices may impoſe them.

XIX. And be it further enacted, That in caſe any Perſon or Perſons committing any Offence againſt the Proviſions of this Act, for which no ſpecifick Penalties ſhall have been provided, he, ſhe, or they ſhall forfeit and pay, at the Diſcretion of One or more Juſtices of the Peace, or of any other Magiſtrate above mentioned, any Sum not exceeding Ten Pounds nor leſs than Fifty Shillings, upon being convicted thereof on the Oath or Oaths of One or more credible Witneſs or Witneſſes, before any Juſtice of the Peace or other Magiſtrate above mentioned, acting in and for the County, Riding, City, Town, Diviſion, or Place where the Offence ſhall have been committed, or by any other Juſtice of the Peace reſiding in any County, Riding, City, Town, Diviſion, or Place in which the Offender ſhall then actually be preſent, upon full and ſatisfactory Proof being exhibited before ſuch Juſtice of the Peace or other Magiſtrate above mentioned, on the Oath of One or more credible Witneſs or Witneſſes (which Oath or Oaths as well the Juſtice of the Peace or other Magiſtrate above mentioned acting in and for the County, Riding, City, Town, Diviſion, or Place where the Offence ſhall have been committed, as ſuch Juſtices and other Magiſtrates above mentioned as ſhall be reſident in the County, Riding, City, Town, Diviſion, or Place where the Offender ſhall actually be preſent, are hereby authorized and required to adminiſter); and in Default of Payment of the Penalty which ſhall have been awarded on the Conviction of ſuch Offender, he ſhall for every ſuch Offence be committed to the Common Gaol or Houſe of Correction of the County, Riding, City, Town, Diviſion, or Place where ſuch Offence ſhall have been committed, or of the County, Riding, City, Town, Diviſion, or Place where he ſhall actually be preſent (as the Caſe may be), there to remain, without Bail or Mainprize, for any Time not exceeding Three Calendar Months nor leſs than Five Days, at the Diſcretion of the Juſtice or Juſtices by or before whom ſuch Offender ſhall be convicted.

Penalty on Perſons conniving at Offences.

XX. And be it further enacted, That if any Perſon or Perſons ſhall receive any Sum or Sums of Money for conniving at any Offence prohibited by this Act, either for any ſingle Offence or for a Number of ſuch Offences, or by Stipulation or Agreement by the Day, the Week, the Year, or any other Period of Time, and ſhall be duly convicted thereof before One or more Juſtices, or before any other Magiſtrate above mentioned, he, ſhe, or they ſhall forfeit the Sum of Fifty Pounds for each Offence, and in Default of the Payment thereof ſhall be committed to any Houſe of Correction for any Period not exceeding Three Months nor leſs than One Month.

Carriages of a certain Deſcription may carry an additional Number of Paſſengers.

XXI. And whereas it would materially contribute to the Safety of Paſſengers if a great Part of the Luggage uſually conveyed by Stage Coaches were conveyed in a much lower Poſition than is generally the Caſe at preſent, and the ſame Reſtrictions in regard to the Number of Outſide Paſſengers on ſuch Stage Coaches would not be ſo requiſite, provided no Luggage was carried by them, except in the Manner herein-after mentioned; be it therefore further enacted, That all Stage Coaches, (Long-bodied Coaches included), carrying no Parcels or Luggage whatſoever, excepting in the Inſide or in the Front Boot thereof, or in a Boot behind or under the Body of ſuch Carriage; and where the Top of ſuch Boot behind, when the Coach is empty, is not more than Six Feet from the Ground,

Ground, having obtained a ſpecial Licence for that Purpoſe, and having the Name of the Owner or Owners, and the Number of Outſide and Inſide Paſſengers thereby allowed painted or inſcribed thereon, ſhall be permitted to carry Two Outſide Paſſengers more than the Number of Outſide Paſſengers hereby limited with reſpect to other Coaches or Carriages above deſcribed, without ſubjecting the Drivers, Owners, or Proprietors of ſuch Coaches or other Carriages to any of the Penalties, Forfeitures, Fines, or Puniſhments impoſed or authorized to be impoſed by this Act; any Thing herein contained to the contrary notwithſtanding.

Limitation of Actions.

XXII. And be it further enacted, That any Proſecution for any Offence committed againſt the Proviſions of this Act, ſhall be commenced within the Space of Fourteen Days after the Offence ſhall have been committed, and that there ſhall be but one Recovery for the ſame Offence, except where the Owner or Owners of Stage Coaches or other Carriages above deſcribed, are required to paint their Names or Name or Sign, and to preſerve the ſame in a clear or legible State, in which Caſe ſuch Proſecution may be commenced at any Time, and any Neglect in remedying the ſame for the Space of One Month ſhall be conſidered a new Offence.

Exemption of Hackney Coach Stages from the Operation of this Act.

XXIII. And whereas a certain Number of Hackney Coaches work by Permiſſion as ſtated Stages, and which as well as other Hackney Coaches are licenſed by and have been hitherto under the Regulations and Controul of the Commiſſioners for licenſing and regulating Hackney Coaches, the ſame ſtated Stages being numbered and to all Intents and Purpoſes Hackney Coaches, yet for the public Convenience are exempted from the ordinary Street Work of Hackney Coaches, and permitted to be employed and driven certain preſcribed Routes at fixed Hours between the Metropolis and certain Villages and Places in its Vicinity: And whereas the ſaid ſtated Hackney Coach Stages as well as the Hackney Coaches in general, and the Owners and Drivers thereof reſpectively, are in all Reſpects under the Regulation and Controul of the ſaid Commiſſioners for licenſing and regulating Hackney Coaches; and it is inexpedient and unneceſſary that any of the Proviſions of this Act ſhould be applied to ſuch Hackney Coaches and Hackney Coach Stages before mentioned; be it therefore further enacted, That nothing in this Act contained ſhall extend to, or be conſtrued to extend to affect ſuch Hackney Coaches, or their Owners or Drivers reſpectively, as now are or hereafter may be licenſed by the ſaid Commiſſioners for licenſing and regulating Hackney Coaches, whether ſuch Coaches be ſo licenſed to be uſed and driven in the ordinary and indiſcriminate Work of Hackney Coaches in general, in and about the Streets and Places within which ſuch Hackney Coaches are by Law compellable to go, or be driven, or are or may be licenſed expreſsly for the Purpoſe of being employed and driven as Hackney Coach Stages between the Metropolis and certain Villages and Places in the Vicinity thereof; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

Forms of Proceedings ſet forth in the Schedule to be uſed.

XXIV. 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

adapt them to the particular Circumſtances of the caſe, or the Place where the Proſecution for the Offence ſhall take place; and that no Objection ſhall be allowed to be made, or Advantage taken on account of want of Form in any ſuch Proceedings; and that ſuch Conviction, unleſs appealed from within Fourteen Days in the Manner herein-after mentioned, ſhall be final and concluſive.

Perſons aggrieved may appeal to the Quarter Seſſions.

XXV. Provided always, and be it further enacted, That if any Perſon ſhall find him, her, or themſelves aggrieved by any Determination, Judgement, Sentence, or Conviction, which any Juſtice or Juſtices of the Peace or other Magiſtrate above mentioned ſhall have given or made in any of the Caſes herein-before mentioned, and ſhall enter into a Recognizance before ſuch Juſtice or Juſtices, or other Magiſtrate, with one ſufficient Surety, the Condition whereof ſhall be, that ſuch Perſon or Perſons do and ſhall appear before the Court of the next Quarter Seſſions for the County or other Place where ſuch Determination, Judgement, Sentence, or Conviction ſhall have been given or made, then and there to abide the final Order, Judgement, and Sentence of ſuch Court on the Matters aforeſaid, then and in every ſuch caſe ſuch Perſon or Perſons ſhall be at Liberty to appeal to the next General Quarter Seſſions of the Peace to be holden for the ſaid County or other Place, who upon Hearing the ſaid Appeal, ſhall have full Power finally to determine the ſame, and to award ſuch Coſts to the Appellant or to the Proſecutor or Informer, as to ſuch Court ſhall ſeem fit to be awarded, and ſuch laſt mentioned Proceedings, final Judgement, and Sentence, ſhall not be removeable by Writ of *Certiorari* or otherwiſe into any other Court.

Publick Act.

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

Act may be altered or repealed this Seſſion.

XXVII. And be it further enacted, That this Act may be altered, varied, or repealed by any other Act or Acts of Parliament in this preſent Seſſion of Parliament.

The

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 of the Peace or other Magiſtrate.

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 Word 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 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.