ANNO SEPTIMO

GEORGII IV. REGIS.

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C A P. XXXIII.

An Act to make further Regulations relating to the Licensing of Stage Coaches. [5th *May* 1826.]

WHEREAS it is expedient to repeal certain Parts of an Act passed in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Third, intituled *An Act for repealing the Duties on Licences taken out by Persons letting Horses for the Purposes of travelling Post, and on Horses let to Hire for travelling Post and by Time, and on Stage Coaches, and for granting other Duties in lieu thereof; and also additional Duties on Horses let to Hire for travelling Post and by Time;* and also to limit the Number of Passengers allowed to be carried for Hire in any Carriage or Vehicle drawn by One Horse, and to make further Provision respecting the Plates directed to be placed upon Carriages or Vehicles used for the Purpose of conveying Passengers for Hire, and to provide for the better Protection and Recovery of the Duties payable in respect of such Carriages or Vehicles: 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 of the said recited Act as enacts, that all and every Person or Persons licensed to let out for Hire any Coach, Diligence, or other Carriage, shall give Security by Bond to His Majesty, His Heirs and Successors, in the Sum of Twenty Pounds, or in Treble the Sum to which the Journies inserted in such Licences for One Month would amount unto; and also so

25 G. 3. c. 51.

So much of recited Act as directs that Persons letting Coaches to Hire, shall give Bond, and that one Licence shall

4 D much

apply to one Coach only, repealed.

much of the said Act as enacts that no Person or Persons licensed as thereby directed, shall, by virtue of One Licence, keep more than One Coach, Diligence, or other Carriage, shall be and the same is hereby repealed.

Limiting the Number of Passengers to be carried for Hire in Vehicles drawn by One Horse.

II. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons licensed to keep, use, employ, and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire at separate Fares, having Four Wheels, and to be drawn by One Horse or Mule only, to carry or convey therein or thereby more than Six Passengers, or having Two Wheels, and to be drawn by One Horse or Mule only, to carry or convey therein or thereby more than Four Passengers.

Mode of Proceeding on giving up or altering Licences.

III. And be it further enacted, That when any Person or Persons to whom any Licence to keep, use, employ, and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire shall have been granted, shall, at the Time of paying his, her, or their Monthly Account of Duties, be desirous of giving up such Licence, or of altering or varying the Journey or Number of Journies mentioned in the First Licence, or the Mode of performing such Journey or Journies, he, she, or they may give Notice in Writing to that Effect at the Office or Place at which his, her, or their Licence was granted, or to the Person authorized to receive such Duties, the Terms of which Notice shall be indorsed upon the Back of such his, her, or their Licence; and when such Licence shall be given up, and the Plate or Plates mentioned in such Licence re-delivered to the Commissioners of Stamps, or to any Person authorized to receive the same, and the Use, Employment, or Letting out for Hire of such Carriage or Vehicle as aforesaid be discontinued, such Person or Persons shall not be charged or chargeable with the Duties payable in respect of such Carriage or Vehicle subsequently to the Expiration of such Notice; and when the Number of Journies mentioned in such Licence, or indorsed thereupon, shall have been altered or varied, such Person or Persons shall, at the Expiration of such Notice, be charged and chargeable with the Duties payable in respect of the Journies thereafter to be performed by such Carriage or Vehicle: Provided always, that no Licence shall cease under or by virtue of any Notice to be given at a less Period than One Month after the first using, employing, or letting out to Hire any Carriage or Vehicle under the said Licence, but that Duty in respect of such Carriage or Vehicle shall at least be paid for One Month after the first using, employing, or letting out to Hire the same, according to the Number of Miles, as expressed in the said Licence, to be travelled by such Coach or Vehicle in the Course of any One Week of the said Month, in the same Manner as if the said Carriage or Vehicle had been used, employed, and let out to Hire for the whole Period of One Month; and the Amount of Duties for that Month shall, if necessary, be claimed and described as a Debt due to His Majesty, His Heirs and Successors, and shall and may be sued for and recovered accordingly.

Not less than a Month's Duty to be paid on any Licence.

Plates to be furnished gratis.

IV. And be it further enacted, That from and after the passing of this Act the Commissioners of Stamps are hereby directed and required

quired to deliver, *gratis*, to the Person or Persons taking out a Licence for the First Time, the Plate or Plates required by an Act passed in the Third Year of the Reign of His present Majesty, intituled *An Act to reduce the Rate of Duties payable in respect of certain Carriages used and employed for the Purpose of conveying Passengers for Hire, and to make Regulations and Provisions relating to Stage Coaches, and the Duties thereon*, to be placed upon the Coach or Vehicle mentioned in such Licence; and also to deliver *gratis* to the Person or Persons taking out any fresh Licence, upon the Alteration of the Name or Names of the Person or Persons mentioned in the former Licence, or of the Description of the Journey or Journies to be performed by the Coach or Vehicle therein mentioned, or upon the Alteration of the Number of such Plate or Plates, by reason of the former Number having become illegible, or of One or both Plates having been broken or lost, or upon any other Occasion which may require a new Plate or Plates. 3 G. 4. c. 95.

Separate Licence for every Plate or Pair of Plates.

V. And be it further enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons licensed to keep, use, employ, or let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire as aforesaid, to use more than One Plate or One Pair of Plates by virtue of One Licence, but that for every Plate or Pair of Plates there shall be a separate and distinct Licence.

Where Plates to be fixed.

VI. And be it further enacted, That from and after the Thirty-first Day of *July* next after the passing of this Act, the Plate or Plates required by the said Act of the Third Year of His present Majesty to be fixed and placed upon the Door or Doors of any Carriage or Vehicle, shall be placed on the Centre of the Pannel or Pannels of such Door or Doors, or upon each of the Fore Quarters of such Carriage or Vehicle, at the Lower Angle of such Fore Quarter, adjoining such Doors respectively; or if there be no Door to such Carriage or Vehicle, then, if the same shall be drawn by Two or more Horses, upon One of the Pannels of each Side of such Carriage or Vehicle, or if the Carriage or Vehicle shall be drawn by One Horse only, then upon the Centre of the Hind Part or Pannel of such Carriage or Vehicle, or if there be no Door to such Carriage or Vehicle, then upon some conspicuous Part of such Carriage or Vehicle; or if the said Commissioners of Stamps, or any Person authorized by them to collect the Stage Coach Duties, or any of their Inspectors or other Officers, shall be dissatisfied with the Position of the Plate or Plates, and shall direct the same to be placed on some other conspicuous Part of such Carriage or Vehicle, then such Plate or Plates shall be fixed and placed upon such Part of such Carriage or Vehicle, according to such Direction.

Commissioners may require illegible Plates to be given up for new ones.

VII. And be it further enacted, That when any of the Numbers marked on any Plate or Plates shall, in the Opinion of the said Commissioners of Stamps, or of any Person authorized by them to receive the Stage Coach Duties, or of any of their Inspectors or Officers, have become illegible, it shall be lawful for the said Commissioners or other Person authorized as aforesaid, or any Inspector or Officer as

as aforesaid, and they are hereby required, to give Notice to the Person or Persons to whom the Licence relating to the said Plate or Plates shall have been granted, that the Number upon such Plate or Plates is illegible, and the Person or Persons to whom such Licence shall have been granted is and are hereby required, within Three Days after such Notice shall have been given, to deliver up to the said Commissioners of Stamps, or to the proper Officer duly authorized to grant Licences, such illegible Plate or Plates, and apply for a fresh Licence, and a new Plate or new Plates.

Duties to be payable according to the Licences, unless it shall be shown that such Amount is not due.

VIII. And be it further enacted, That in all Actions, Bills, Plaints, Informations, or Proceedings to be commenced, prosecuted, entered, or filed in any of His Majesty's Courts of *Great Britain*, or before any Justice of the Peace or other Magistrate whatsoever, in *Great Britain*, against any Person or Persons, for the Recovery of any Duty payable in respect of any Carriage or Vehicle kept, used, employed, and let out for the Purpose of conveying Passengers for Hire, the Amount of Duty, calculated according to the Journey or Number of Journies mentioned in the Licence or Licences relating to such Carriage or Vehicle, shall be deemed and taken to be the Amount of Duty due and payable in respect of such Carriage or Vehicle, unless such Person or Persons shall show that the Amount of the said Duty, or some Part thereof, hath not become due and payable.

Penalty for forging or using forged Plates.

IX. And be it further enacted, That if any Person shall forge, counterfeit, or resemble, or cause or procure to be forged, counterfeited, or resembled, any Plate or any Part of any Plate, which shall have been provided or used in pursuance of this Act or any other Act, or shall wilfully fix or place, or cause, permit, or suffer to be fixed or placed, to or upon the Door, or one of the Doors, or upon any other Part of any Carriage or Vehicle kept, used, employed, or let out for the Purpose of conveying Passengers for Hire, any forged or counterfeited Plate, or Part of any Plate, every such Person shall for every such Offence forfeit the Sum of One hundred Pounds.

Penalty for using Carriages with Plates not fixed, or for not giving up illegible Plates.

X. And be it further enacted, That if any Person or Persons to whom any Licence to keep, use, employ, and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire shall be granted, shall, before using, employing, or letting out for Hire any such Carriage or Vehicle, neglect to fix or place, or to cause to be fixed or placed, upon the said Carriage or Vehicle, in manner herein directed, the Plate or Plates directed to be fixed and placed thereon; or if such Person or Persons, after having received Notice in manner herein-before mentioned, that the Numbers on the Plate or Plates are illegible, shall not, within Three Days after such Notice shall have been given, deliver up such illegible Plate or Plates, and apply for a fresh Licence and a new Plate or Plates, as herein-before directed, and fix or place the same upon the Carriage or Vehicle in manner herein directed, every such Person or Persons so offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

Penalty for carrying more than the

XI. And be it further enacted, That if any Person or Persons licensed to keep, use, employ, and let out for Hire as aforesaid, any

Carriage or Vehicle having Four Wheels and drawn by One Horse or Mule only, shall carry or convey therein or thereby more than Six Passengers, or if any Person or Persons licensed to keep, use, employ, and let out for Hire any Carriage or Vehicle having Two Wheels and drawn by One Horse or Mule only, shall carry or convey therein or thereby more than Four Passengers, every such Person so offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds.

prescribed Number of Passengers.

XII. And be it further enacted, That if any Person or Persons to whom any Licence to keep, use, employ, and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire, shall, from and after the passing of this Act, permit or suffer such Carriage or Vehicle to perform a greater Number of Journies than is allowed by such Licence, or to be used for the performing any different Journey or Journies, or a greater Number of Miles than is or are mentioned in such Licence, or shall fix or place upon such Carriage or Vehicle a Plate or Plates, having a Number different from that mentioned in the Licence in force at the Time of using such Carriage or Vehicle, such Person or Persons shall be deemed and taken to be a Person or Persons keeping, using, employing, and letting out a Carriage or Vehicle for the Purpose of conveying Passengers for Hire, without having first duly obtained a Licence within the true Intent and Meaning of the said recited Act of the Twenty-fifth Year of His late Majesty.

Persons using Carriages contrary to Licence, to be deemed to be using them without a Licence.

XIII. And be it further enacted, That if any Person or Persons duly licensed to use, employ, and let out any Carriage or Vehicle for the Purpose of conveying Passengers for Hire as aforesaid, shall, in any Account to be delivered by him, her, or them to the said Commissioners of Stamps, or such Officer as they shall appoint in that Behalf, under or by virtue of the said Act of the Twenty-fifth Year of His late Majesty, of the Number of Journies actually made in a Day by such Carriage or Vehicle, where the same shall differ from the Number expressed in the Licence, shall neglect or omit to insert therein any Journey actually made by such Carriage or Vehicle, every such Person or Persons shall for every such Journey so omitted forfeit and pay the Sum of Five Pounds.

Penalty on Persons omitting any Journey in Account delivered under 25 G. 3. c. 51.

XIV. And be it further enacted, That if any Driver or other Person having the Care of any Carriage or Vehicle kept, used, or employed for the Purpose of conveying Passengers for Hire as aforesaid, shall suffer the Plate or Plates fixed and placed thereon as hereby directed, to be concealed from public View by any Coat, Cloak, Cloth, or other Thing placed over it, such Driver or other Person having the Care of such Carriage or Vehicle shall forfeit and pay the Sum of Five Pounds; and in case such Driver or other Person having the Care of such Carriage or other Vehicle shall not be known, or being known cannot be found, then and in every such Case the Owner or Owners, Proprietor or Proprietors of such Carriage or Vehicle, shall be liable to such last-mentioned Fine or Penalty, in the same Manner as if he or they had been driving or taking

Penalty on Drivers concealing Plates.

In certain Cases, Owners to be liable to Penalty.

taking care of such Carriage or Vehicle at the Time that such Offence was committed.

For Recovery of Duties where not exceeding 50*l.*

XV. And be it further enacted, That from and after the passing of this Act, if any Person or Persons liable to account for and pay any Duty or Duties granted by any Act or Acts, for or in respect of any Carriage or Vehicle kept, used, or employed for the Purpose of conveying Passengers for Hire as aforesaid, shall refuse or neglect to account for and pay the same according to the Directions of the said Acts, to the Officer appointed by the said Commissioners of Stamps to receive such Duties, where such Duty or Duties shall not exceed the Sum of Fifty Pounds, it shall be lawful for any Constable, Tithingman, or other Peace Officer of the County, Riding, Division, City, Town, or Place where such Carriage shall be kept, used, or employed for the Purpose of conveying Passengers for Hire as aforesaid, first obtaining a Warrant for that Purpose under the Hand and Seal or Hands and Seals of any One or more of His Majesty's Justices acting in and for such County, Riding, Division, City, Town, or Place, (which Justice or Justices, on Complaint made to him or them, shall summon the Party complained of, and the Witnesses on either Side, and examine into the Matter of Fact, and shall grant such Warrant on due Proof being made of the Sum due and owing for such Duty or Duties as aforesaid, by the voluntary Confession of the Party, or by the Oath of One or more Witness or Witnesses), to distrain such Person or Persons by his, her, or their Goods and Chattels for the Amount of such Duty or Duties, and the Distress so to be taken to detain and keep for the Space of Five Days, at the Costs and Charges of such Person or Persons; and if he, she, or they shall not within that Time pay the Amount of such Duty or Duties, with the Costs and Charges of taking and keeping such Distress, then the Goods and Chattels so distrained shall be sold by such Constable, Tithingman, or other Peace Officer, who shall render the Overplus (if any) of the Money arising by the Sale thereof, after deducting and retaining the Amount of such Duty or Duties, and the Costs and Charges of taking, keeping, and selling such Distress, to the Person or Persons so to be distrained as aforesaid; and for the Purpose of taking such Distress, it shall be lawful for such Constable, Tithingman, or other Peace Officer, when any Refusal or Resistance shall be made, to break open in the Day-time any House or Place where any Goods or Chattels of such Persons or Person shall be; and if no sufficient Distress can be had or taken whereon to levy the said Duties and Charges, then such Justice or Justices shall commit such Person or Persons to the Prison of such County, Riding, Division, City, Town, or Place, there to remain until such Duties shall be fully paid and satisfied.

Penalties amounting to 10*l.* may be sued for by Action of Debt, &c.

XVI. And be it further enacted, That any pecuniary Penalty imposed by this Act or the herein-before mentioned Acts, or either of them, which shall amount to the Sum of Ten Pounds or more, shall or may be sued for in any of His Majesty's Courts at *Westminster*, for any Offence committed in *England* or *Wales*, or *Berwick-upon-Tweed*, and in His Majesty's Court of Exchequer in *Scotland*, for any Offence

Offence committed in that Part of *Great Britain* called *Scotland*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, or more than One Imparlance shall be allowed.

Penalty on Persons plying for Hire with Carriages not having Plates.

XVII. And be it further enacted, That if any Carriage or Vehicle shall be found standing or plying for Passengers to be conveyed for Hire at separate Fares as aforesaid, upon any public Highway, not having fixed or placed thereon a Plate or Plates as directed by this or any other Act to be fixed or placed upon Carriages or Vehicles kept, used, employed, and let out for the Purpose of conveying Passengers for Hire, the Owner, Driver, or Person having the Care of any such Carriage or other Vehicle shall forfeit and pay any Sum not exceeding Twenty Pounds; and it shall and may be lawful to and for any Constable or Constables, or other Person or Persons whomsoever, to take and seize such Carriage or other Vehicle not having such Plate or Plates, with the Horses or other Cattle drawing the same, and lodge the same for safe Custody at some public Green-yard, or some Livery Stables, or other Place of Safety, until some One or more of His Majesty's Justices of the Peace for the County, Riding, Division, City, Town, or Place, in which such Offence shall be committed, shall hear and determine the same, and the Penalty or Penalties to which the Owner, Driver, or other Person having the Care of such Carriage or other Vehicle shall be liable and adjudged to pay for such Offence, with the Expences of taking and keeping such Carriage and Cattle at such Green-yard, Stables, or other Place, shall be fully paid or discharged; and if such Penalty or Penalties be not forthwith paid, the said Carriage or Vehicle, Horses or other Cattle, together with the Harness used therewith, so taken and seized, shall be immediately sold by Order under the Hand or Hands of the said Justice or Justices, and the Surplus, if any, shall be rendered to such Owner, Driver, or other Person; any thing in this Act to the contrary thereof in anywise notwithstanding.

Justices may determine Offences where Penalty does not exceed 20*l*.

XVIII. Provided always, and it is hereby enacted, That it shall and may be lawful to and for any Justice of the Peace of any County, Riding, Division, City, Town, or Place, where the Offence shall be committed, to hear and determine any Offence against this Act or the herein-before mentioned Acts, or any of them, which subjects the Offender to any pecuniary Penalty not exceeding Twenty Pounds, which said Justice of the Peace is hereby authorized and required, upon any Information exhibited, or Complaint made in that Behalf, to summon the Party accused, and also the Witnesses on either Side, and to examine into the Matter of Fact, and upon due Proof made thereof, by voluntary Confession of the Party, or by Oath of One or more credible Witness or Witnesses, to give Judgment or Sentence for the Penalty or Forfeiture, and to award and issue out his Warrant under his Hand and Seal for the levying any pecuniary Penalties or Forfeitures so adjudged on the Goods of the Offender, and to cause Sale to be made thereof in case they shall not be redeemed within Five Days, rendering to the Party the Overplus (if any); and where the Goods of such Offender cannot be found sufficient to answer the Penalty,

Penalty, to commit such Offender to Prison, there to remain for the Space of Six Months, unless such pecuniary Penalty shall be sooner paid and satisfied: And if any Person or Persons shall find himself or themselves aggrieved by the Judgment of any such Justice, then he, she, or they shall and may (upon giving Security to the Amount of the Value of such Penalty and Forfeiture, together with such Costs as shall be awarded in case such Judgment shall be affirmed,) appeal to the Justices of the Peace at the next General Quarter Sessions of the Peace for the County, Riding, Division, City, Town, or Place, who are hereby empowered to summon and examine Witnesses upon Oath, and finally to hear and determine the same; and in case the Judgment of such Justices shall be affirmed, it shall be lawful for such Justices to award the Person or Persons to pay Costs occasioned by such Appeal as to them shall seem meet: Provided always, that if the next General Quarter Sessions of the Peace shall fall within Six Days after such Conviction, it shall and may be lawful for the Person so convicted, if he shall think fit, giving such Security as aforesaid, to appeal to the next subsequent Quarter Sessions.

Appeal.

Carriages, Horses, &c. liable to be distrained for Duties and Penalties.

XIX. And be it further enacted, That all and every the Carriages or Vehicles kept, used, or employed for the Purpose of conveying Passengers for Hire as aforesaid, and all and every Horse and Horses, or other Cattle, Harness, and other Articles and Things used and employed for the Purpose of drawing such Carriages or Vehicles, shall and may be seized and distrained to satisfy any Arrear of Duty or Duties due and owing from the Owner or Owners, Driver or Drivers thereof, or the Person or Persons having the Care or Custody thereof, or licensed to keep, use, or employ the same, and also to pay and satisfy any Penalty or Penalties to which any such Owner or Owners, Driver or Drivers, or other Person or Persons as aforesaid, may become liable to pay under or by virtue of this or the herein-before mentioned Acts of the Twenty-fifth Year of His late Majesty and the Third Year of His present Majesty.

Penalty on Witnesses not attending.

XX. And be it further enacted, That if any Person or Persons shall be summoned as a Witness or Witnesses to give Evidence before such Justice or Justices of the Peace, touching any of the Matters relative to this Act, either on the Part of the Prosecutor or the Person or Persons accused, and shall neglect or refuse to appear at the Time and Place to be for that Purpose appointed, without a reasonable Excuse for such his, her, or their Neglect or Refusal, to be allowed of by such Justice or Justices of the Peace, or appearing shall refuse to be examined on Oath, and give Evidence before such Justice or Justices of the Peace before whom the Prosecution shall be depending, that then every such Person shall forfeit for every such Offence the Sum of Five Pounds, to be levied and paid in such Manner and by such Means as are herein-before directed as to other Penalties.

Form of Conviction.

XXI. And be it further enacted, That a Conviction in the Form and to the Effect following, *mutatis mutandis* (as the Case shall happen to be), shall be good and effectual to all Intents and Purposes whatsoever, without stating the Evidence, and without alledging more than

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the Substance of the Offence, in all Cases wherein such Justice of the Peace hath Power to convict by virtue of the present Act:

'BE it remembered, That on the Day of in the Year of our Lord at in the County of *A.B.* came before me *C.D.* One of His Majesty's Justices of the Peace for the said County where the Offence herein-after mentioned was committed, and informed me that *E.F.* of in the said County of [*here set forth the Fact for which the Information is laid*], whereupon the said *E.F.* being duly summoned to answer the said Charge, appeared before me, (and having heard the Charge contained in the said Information, acknowledged and voluntarily confessed the Facts therein stated to be true), but in his [*or* her] Defence alledged [*here setting forth the Substance of the Defence*], *or* voluntarily confessed the said Charge to be true, *or* did not make any Defence against the said Charge, whereupon the same was fully proved on the Oath of *G.H.* a credible Witness, *or* said that he [*or* she] was not guilty of the said Offence, whereupon the same was fully proved on the Oath of *G.H.* a credible Witness, [*or as the Case shall be*], *or* did not appear before me pursuant to the said Summons, but the said Charge was fully proved on the Oath of *G.H.* a credible Witness, [*or as the Case shall be*]; and therefore it manifestly appearing to me that the said *E.F.* is guilty of the Offence charged in the said Information, I do hereby convict him [*or* her] of the said Offence, and do adjudge that he or she 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 such Case made and provided. Given under my Hand and Seal the Day of .'

Mitigation of Penalties.

Provided nevertheless, that it shall and may be lawful for the said Justice or Justices, when he or they shall see Cause, to mitigate and lessen any such Penalty or Penalties as he shall think fit or reasonable, (Costs and Charges of the Officers and Informers, as well in making the Discovery as in prosecuting the same, being always allowed over and above such Mitigation,) and so as such Mitigation do not reduce such Penalties to less than One-fourth Part of the Penalty or Penalties incurred over and above the said Costs and Charges; any thing herein contained to the contrary notwithstanding.

By whom Informations may be laid.

XXII. And be it further enacted, That it shall be lawful for any Person or Persons whatsoever to lay, make, and prosecute any Information before any Justice or Justices of the Peace against any Person or Persons for the Recovery of any Fine, Penalty, or Forfeiture made or incurred by virtue of this or any other Act or Acts of Parliament relating to Carriages or Vehicles kept, used, or employed to convey Passengers for Hire as aforesaid, any thing in any Law or Laws to the contrary thereof in anywise notwithstanding; and that all such pecuniary Penalties shall be divided and distributed, if a Prosecution or Suit shall be commenced for the same within the Space of Six Calendar Months from the Time of any such Penalty being incurred, in manner following; (that is to say), One Moiety thereof to His Majesty, His Heirs and Successors, and the other Moiety thereof

Application of Penalties.

(with full Costs of Suit) to the Person or Persons who shall inform and sue for the same; and in default of such Prosecution within Six Calendar Months from the Time of any such Penalty being incurred, then the Whole thereof shall belong to His Majesty, His Heirs or Successors; and such Moieties and Penalties shall be paid into the Hands of His Majesty's Solicitor of Stamps for the Time being.

Penalties belonging to His Majesty to be received by Justices, and paid to the Clerk of the Peace at the next Sessions, who shall remit them to the Solicitor of Stamps.

XXIII. And be it further enacted, That every Justice before whom any Person or Persons shall be convicted of any Offence under or by virtue of this Act or the herein-before recited Acts, or either of them, shall take and receive the Penalty or Penalties, or Share of the Penalty or Penalties belonging to His Majesty, levied or paid under or by virtue of such Conviction; and that every such Justice, his Executors or Administrators, shall pay or cause to be paid all such Sums which he shall take or receive upon any Conviction under or by virtue of this Act, or the Acts herein-before mentioned, or either of them as aforesaid, at the next General Quarter Sessions of the Peace after he shall have so taken or received the same, into the Hands of the Clerk of the Peace, or other such like Officer of the County, Riding, Division, City, Town, or Place within which such Conviction shall have been made, who is hereby directed to remit the same forthwith, without Fee or Reward, to the Solicitor of Stamps for the Time being; and that every Justice, his Executors or Administrators, shall immediately on such Payment made to any Clerk of the Peace or other such Officer, transmit to the said Solicitor of Stamps a Schedule, containing the Names of the Persons so convicted, the Day on which they were convicted, their respective Offences, and the respective Sums which were levied or paid under or by virtue of such Conviction.

Justices to transmit to Solicitor of Stamps a Schedule of Convictions.

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