



Town Police Clauses Act 1847

1847 CHAPTER 89

An Act for consolidating in One Act certain Provisions usually contained in Acts for regulating the Police of Towns. [22d July 1847]

WHEREAS it is expedient to comprise in One Act sundry Provisions usually contained in Acts of Parliament for regulating the Police of Towns and populous Districts, and that as well for avoiding the Necessity of repeating such Provisions in each of the several Acts relating to such Towns or Districts, as for ensuring greater Uniformity in the Provisions themselves :

Be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Extent of Act.

That this Act shall extend only to such Towns or Districts in *England* or *Ireland* as shall be comprised in any Act of Parliament hereafter to be passed which shall declare that this Act shall be incorporated therewith ; and all the Clauses of this Act, save so far as they shall be expressly varied or excepted by any such Act, shall apply to the Town or District which shall be comprised in such Act, and to the Commissioners appointed for improving and regulating the same, so far as such Clauses shall be applicable thereto respectively, and shall, with the Clauses of every other Act which shall be incorporated therewith, form Part of such Act, and be construed therewith as forming One Act.

And with respect to the Construction of this Act, whether incorporated in whole or in part Math any other Act, and of any Act incorporated therewith, be it enacted as follows :

II Interpretations in this Act.

The Expression " the special Act " used in this Act shall be construed to mean any Act which shall be hereafter passed for the Improvement or Regulation of any Town or District defined or comprised therein and with which this Act shall be incorporated ; and the Word " prescribed, " used in this Act in reference to any Matter herein stated, shall be construed to refer to such Matter as the same shall be prescribed or provided

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for in the special Act, and the Sentence in which such Word shall occur shall be construed as if, instead of the Word " prescribed, " the Expression " prescribed for that Purpose in the special Act " had been used ; and the Expression " the Commissioners " shall mean the Commissioners, Trustees, or other Persons or Body Corporate intrusted by the special Act with Powers for executing the Purposes thereof.

III Interpretations in this and the special Act.

The following Words and Expressions, in both this and the special Act, and any Act incorporated therewith, shall have the Meanings hereby assigned to them, unless there be something in the Subject or Context repugnant to such Construction; (that is to say,)

Words importing the Singular Number shall include the Plural Number, and Words importing the Plural Number shall include the Singular Number :

Words importing the Masculine Gender shall include Females :

The Word " Person " shall include a Corporation, whether aggregate or sole :

The Word " Lands " shall include Messuages, Lands, Tenements, and Hereditaments of any Tenure :

The Word " Street " shall extend to and include any Road, Square, Court, Alley, and Thoroughfare or public Passage within the Limits of the special Act :

The Word " Month " shall mean Calendar Month :

The Expression " Superior Courts " shall mean Her Majesty's Superior Courts of Record at *Westminster* or *Dublin*, as the Case may require, and shall include the Court of Common Pleas of the County Palatine of *Lancaster* and the Court of Common Pleas of the County of *Durham* :

The Word " Oath " shall include Affirmation in the Case of Quakers, and any Declaration lawfully substituted for an Oath in the Case of any other Persons allowed by Law to make a Declaration instead of taking an Oath :

The Word " County " shall include Riding or other Division of a County having a separate Commission of the Peace, and shall also include County of a City or County of a Town :

The Word " Justice " shall mean Justice of the Peace acting for the County, City, Borough, Liberty, Cinque Port, or other Place where the Matter requiring the Cognizance of any such Justice arises ;' and where any Matter shall be authorized or required to be done by Two Justices, the Expression " Two Justices " shall be understood to mean Two or more Justices met and acting together :

The Expression " Quarter Sessions " shall mean Quarter Sessions as defined in the special Act, and if such Expression be not there defined, shall mean the General or Quarter Sessions of the Peace which shall be held in or at the Place nearest to the District comprised within the special Act for the County in which such District or some Part thereof is situated, or for some Division of such County having a separate Commission of the Peace: The Word "Cattle" shall include Horses, Asses, Mules, Sheep, Goats, and Swine.

And with respect to citing this Act, or any Part thereof, be it enacted as follows :

IV Short Title of the Act.

In citing this Act in other Acts of Parliament, and in legal Instruments, it shall be enough to use the Expression " the Town Police Clauses Act, 1847."

V Form in which Portions of this Act may be incorporated with other Acts.

For the Purpose of incorporating Part only of this Act with any Act hereafter to be passed it shall be enough to describe the Clauses of this Act with respect to any Matter in the Words introductory to the Enactment with respect to such Matter, and to enact that the Clauses so described, or that this Act, with the Exception of the Clauses so described, shall be incorporated with such Act; and thereupon all the Clauses of this Act so incorporated shall, save so far as they are expressly varied or excepted by such Act, form Part of such Act, and such Act shall be construed as if such Clauses were set forth therein with reference to the Matter to which such Act relates.

Constables

And with respect to the Appointment, and the Powers, Duties, and Privileges, of Constables, be it enacted as follows :

VI Appointment of Constables.

If any Constables shall have been appointed within the Limits of the special Act under the Provisions of an Act passed in the Third Year of the Reign of Her Majesty, intituled *An Act for the Establishment of County and District Constables by the Authority of the Justices of the Peace* ; and of another Act passed in the Fourth Year of the Reign of Her Majesty, intituled *An Act to amend the Act for the Establishment of County and District Constables*; and if the Justices for the County in which such District is situated, in General or Quarter Session assembled, report to One of Her Majesty's Principal Secretaries of State that the Constables so appointed ought to be discontinued, and the said Constables be, in pursuance thereof or otherwise, discontinued, or where no Constables shall have been appointed under the Provisions of the last mentioned Act, the Commissioners may from Time to Time appoint and employ a Superintendent Constable and also such Number of Constables as they judge necessary for the Protection of the Inhabitants and Property within the said Limits, and allow the Superintendent Constable and the other Constables such Salaries or Wages as they think proper; and it shall be lawful for the Commissioners from Time to Time to remove any such Superintendent Constable, Constables, and Officers as they think fit.

VII Power to apply for additional Constables in case of Need.

Where Constables shall have been appointed under the last Two recited Acts, or either of them, the Commissioners, if they think it necessary so to do, may apply to the Chief Constable of the County in which the District within the said Limits is situated, under the Provisions of the last-recited Act, to appoint any additional Number of Constables within the said Limits, and they may pay the Charge of such Appointments out of the Rates to be levied under this and the special Act.

VIII Constables to be sworn in.

Any Justice may swear in any Person appointed and employed as a Constable under this and the special Act, and the Constables so sworn in shall have, within the Limits of the special Act, and in any Place not more than Five Miles beyond such Limits, the like Powers, Privileges, and, Duties, and shall have the same Indemnities and Protection, and shall be subject to the like Penalties and Forfeitures, as any Constable duly appointed has or is subject to within his Constablewick by Law.

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IX Expences of Prosecutions, and Allowances to Constables.

The Commissioners may defray the Expence of prosecuting any Felons or Offenders, and of defending any Constable in the Execution of his Duty, and may make such Allowances to any Constable disabled in the Execution of his Duty, or worn out by Length of Service, as the Commissioners think reasonable.

X Constables not to resign without Leave or Notice.

No Constable appointed under this or the special Act shall resign his Office, or withdraw himself from the Duties thereof, unless expressly allowed so to do in Writing by the Commissioners or by the Superintendent Constable, or until after he has given to such Superintendent Constable One Month's Notice; and every Constable who so resigns or withdraws himself without such Leave or Notice shall be liable to forfeit all Arrears of Pay then due to him, or to a Penalty of not more than Five Pounds, or, in the Discretion of the Justices before whom he shall be convicted, may be committed to Prison, there to remain for a Time not exceeding Fourteen Days,

XI Constables dismissed to deliver up Accoutrements.

Every Constable appointed under this or the special Act who is dismissed from or ceases to hold and exercise his Office shall forthwith deliver over to the Superintendent Constable, or to such Person and at such Time and Place as the Commissioners direct, all the Clothing, Accoutrements, Appointments, and other Necessaries which have been supplied to him for the Execution of his Duty, under pain of Imprisonment, with or without hard Labour, for any Time not exceeding One Month ; and any Justice of the Peace may issue his Warrant to search for and seize to the Use of the Commissioners all the Clothing, Accoutrements, Appointments, and other Necessaries not so delivered over, wherever the same are found.

XII Penalty for unlawful Possession of Accoutrements, or for assuming the Dress of Constables.

Every Person who, not being at the Time a Constable appointed: under this or the special Act, has in his Possession any Article being Part of the Clothing, Accoutrements, or Appointments supplied to any such Constable, and who is not able satisfactorily to account for his Possession thereof, or who puts on the Dress or takes the Name, Designation, or Character of any Person appointed as such Constable, for the Purpose of "thereby obtaining Admission into any House or other Place, or of doing or procuring to be done any Act which such Person would not be entitled to do or procure to be done of his own Authority, or for any other unlawful Purpose, shall, in Addition t to any other Punishment to which he is liable for such Offence, be liable to a Penalty of not exceeding Ten Pounds.

XIII Power to provide Offices, Watch-houses, &c.

The Commissioners may from Time to Time purchase or rent any Buildings or Land, and convert such Buildings into or build on such Land' Offices, Watch-houses, Lock-up Houses, and other Places necessary for the Purposes of this and the special Act, with all proper Conveniences thereto, and may repair the same from Time to Time, and furnish and fit up the same, and employ proper Persons to take care thereof.

XIV Duties of Constables.

The Constables appointed by virtue of this and the special Act shall keep Watch and Ward within the Limits of the special Act, and shall use their best Endeavours to prevent any Mischief by Fire, and all Felonies, Misdemeanors, and Breaches of the Peace.

XV Power to Police Constables and Persons aggrieved to apprehend certain Offenders.

Any Person found committing any Offence punishable either upon Indictment or as a Misdemeanor upon summary Conviction by virtue of this or the special Act may be taken into Custody, without a Warrant, by any of the said Constables, or may be apprehended by the Owner of the Property on or with respect to which the Offence is committed, or by his Servant or any Person authorized by him, and may be detained .until he can be delivered into the Custody of a Constable ; and the Persons so arrested shall be taken, as soon as conveniently may be, before some Justice, to be examined and dealt with according to Law: Provided always, that no Person arrested under the Powers of this or the special Act shall be detained in Custody by any Constable or other Officer, without the Order of some Justice, longer than shall be necessary for bringing him before a Justice, or than Forty Hours at the utmost.

XVI Penalty for Neglect of Duty.

Every Constable acting within the Limits of the special Act who is guilty of any Neglect or Violation of his Duty as a Constable, and convicted thereof before Two Justices, shall be liable to a Penalty not exceeding Ten Pounds, the Amount of which Penalty may be deducted from the Salary or Wages due to him or to become due to him, or, in the Discretion of the Justices before whom he is convicted, he may lawfully be imprisoned for any Time not exceeding One Month, with or without hard Labour.

XVII Power to Constables to take Recognizances.

Whenever any Person charged with any Offence under this or the special Act, or any Act incorporated therewith, not amounting to Felony, and of which he is liable to be summarily convicted before a Justice, is in the Custody of any Constable acting as aforesaid, without the Warrant of a Justice, the Superintendent Constable of the District, or appointed under this Act, or other the superior Officer of Police acting within the said Limits, may, if he deem it prudent so to do, but in such Cases only in which the Offender cannot be conveniently taken before a Justice, take the Recognizance of such Person, with or without Sureties, conditioned as herein-after mentioned.

XVIII Form of Recognizances.

Every Recognizance so taken shall .be taken without Fee or Reward, and shall be conditioned for the; Appearance of the Person thereby bound before a Justice, at a certain Day not later than Seven Days from the Date of such Recognizance, and the Time and Place of such Appearance shall be specified in the Recognizance.

XIX Recognizances to be registered and returned to the Justice.

The Officer taking any such Recognizance shall enter in a Book to be kept for that Purpose the Name, Residence, and Occupation of the Party and his Sureties, if any, entering into such Recognizance, together with the Condition thereof, and the Sum thereby acknowledged, and shall return every such Recognizance to the Justice at the Time and Place when and where the Party is bound to appear, and every such Recognizance shall have the like Force and Effect as if the same had been taken before a Justice.

XX Penalties on Persons assaulting Constables.

Every Person who assaults or resists, or who aids or incites any Person to assault or resist, any Constable in the Execution of his Duty under the Provisions of this or the special Act, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, or, in the Discretion of the Justice before whom he is convicted, may be imprisoned for any Term not exceeding One Month, with or without hard Labour.

Obstructions and Nuisances

And with respect to Obstructions and Nuisances in the Streets, be it enacted as follows:

XXI Power to prevent Obstructions in the Streets during public Processions, &c.

The Commissioners may from Time to Time make Orders for the Route to be observed by all Carts, Carriages, Horses, and Persons, and for preventing Obstruction of the Streets within the Limits of the special Act, in all Times, of public Processions, Rejoicings, or Illuminations, and in any Case when the Streets are thronged or liable to be obstructed, and may also give Directions to the Constables for keeping Order and preventing any Obstruction of the Streets in the Neighbourhood of Theatres and other Places of public Resort, and every wilful Breach of any such Order shall be deemed a separate Offence against this Act, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings.

XXII Tower to regulate the Route of Persons driving Stage Carriages, &c. during Divine Service.

On Application to the Commissioners by the Minister or Churchwardens or Chapel wardens of any Church, Chapel, or other Place of public Worship within the Limits of the special Act, the Commissioners may make Orders for regulating the Route by which Persons shall drive any Cart or Carriage, or Cattle, or the Manner in which they shall drive them, in the Neighbourhood of such Places of Worship, during the Hours of Divine Service on *Sunday, Christmas Day, Good Friday*, or any Day appointed for a public Fast or Thanksgiving, and any Orders so made shall be printed and put up on or near the Church, Chapel, or Place of public Worship to which the same refer, and in some conspicuous Places near and leading thereto, and elsewhere as the Commissioners direct, and every wilful Breach of any such Order shall be deemed a separate Offence against this Act, and every Person committing any such Offence shall be liable to a Penalty not exceeding Forty Shillings.

XXIII Proprietors of Stage Carriages deviating from Route by Order fee from Penalty.

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

XXIV Power to impound stray Cattle.

If any Cattle be at any Time found at large in any Street within the Limits of the special Act, without any Person having the Charge thereof, any Constable or Officer of Police, or any Person residing within the Limits of the special Act, may seize and impound such Cattle in any common Pound within the said Limits, or in such other Place as the Commissioners appoint for that Purpose, and may detain the same therein until the Owner thereof pay to the Commissioners a Penalty not exceeding Forty Shillings, besides the reasonable Expences of impounding and keeping such Cattle.

XXV Power to sell stray Cattle for Penalty and Expences.

If the said Penalty and Expences be not paid within Three Days after such impounding, the Pound-keeper, or other Person appointed by the Commissioners for that Purpose, may proceed to sell or cause to be sold any such Cattle ; but previous to such Sale Seven Days Notice thereof shall be given to or left at the Dwelling House or Place of Abode of the Owner of such Cattle, if he be known, or if not, then Notice of such intended Sale shall be given by Advertisement, to be inserted Seven Days before such Sale in some Newspaper published or circulated within the Limits of the special Act; and the Money arising from such Sale, after deducting the said Sums, and the Expences aforesaid, and all other Expences attending the impounding, advertising, keeping, and Sale of any such Cattle so impounded, shall be paid to the Commissioners, and shall be by them paid, on Demand, to the Owner of the Cattle so sold.

XXVI Persons guilty of Pound breach to be committed for Three Months.

Every Person who releases or attempts to release any Cattle from any Pound or Place where the same are impounded under the Authority of this or the special Act, or who pulls down, damages, or destroys the same Pound or Place, or any Part thereof, with Intent to procure the unlawful Release of such Cattle, shall, upon Conviction of such Offence before any Two Justices, be committed by them to some Common Gaol or House of Correction for any Time not exceeding Three Months.

XXVII Power to provide a Pound.

The Commissioners may purchase a Piece of Land within the Limits of the special Act for the Purpose of a Pound for stray Animals, and may erect a Pound thereon, and such Pound when made shall be kept in repair by the Commissioners.

XXVIII Penalty on Persons committing any of the Offences herein named.

Every Person who in any Street, to the Obstruction, Annoyance, or Danger of the Residents or Passengers, commits any of the following Offences, shall be liable to a Penalty not exceeding Forty Shillings for each Offence, or, in the Discretion of the Justice before whom he is convicted, may be committed to Prison, there to remain for a

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Period not exceeding Fourteen Days, and any Constable or other Officer appointed by virtue of this or the special Act shall take into Custody, without Warrant, and forthwith convey before a Justice, any Person who within his View commits any such Offence (that is to say,)

Every Person who exposes for Show, Hire, or Sale (except in a Market or Market Place or Fair lawfully appointed for that Purpose) any Horse or other Animal, or exhibits in a Caravan or otherwise any Show or public Entertainment, or shoes, bleeds, or farries any Horse or Animal (except in Cases of Accident), or cleans, dresses, exercises, trains or breaks, or turns loose any Horse or Animal, or makes or repairs any Part of any Cart or Carriage (except in Cases of Accident where Repair on the Spot is necessary) :

Every Person who suffers to be at large any unmuzzled ferocious Dog, or sets on or urges any Dog or other Animal to attack, worry, or put in fear any Person or Animal :

Every Owner of any Dog who suffers such Dog to go at large, knowing or having reasonable Ground for believing it to be in a rabid State, or to have been bitten by any Dog or other Animal in a rabid State :

Every Person, who after public Notice given by any Justice directing Dogs to be confined on account of Suspicion Of canine Madness, suffers any Dog to be at large during the Time specified in such Notice :

Every Person who slaughters or dresses any Cattle, or any Part thereof, except in the Case of any Cattle over-driven which may have met with any Accident, and which for the public Safety or other reasonable Cause ought to be killed on the Spot:

Every Person having the Care of any Waggon, Cart, or Carriage who rides on the Shafts thereof, or who without having Reins, and holding the same, rides upon such Waggon, Cart, or Carriage, or on any Animal drawing the same, or who is at such a Distance from such Waggon, Cart, or Carriage as not to have due Control over every Animal drawing the same, or who does not, in meeting any other Carriage, keep his Waggon, Cart, or Carriage to the left or near Side, or who in passing any other Carriage does not keep his Waggon, Cart, or Carriage on the right or off Side of the Road (except in Cases of actual Necessity, or some sufficient Reason for Deviation), or who, by obstructing the Street, wilfully prevents any Person or Carriage from passing him, or any Waggon, Cart, or Carriage under his Care :

Every Person who at one Time drives more than Two Carts or Waggon, and every Person driving Two Carts or Waggon who has not the Halter of the Horse in the last Cart or Waggon securely fastened to the Back of the first Cart or Waggon, or has such Halter of a greater Length from such Fastening to the Horse's Head than Four Feet:

Every Person who rides or drives furiously any Horse or Carriage, or drives furiously any Cattle :

Every Person who causes any public Carriage, Sledge, Truck, or Barrow, with or without Horses, or any Beast of Burden, to stand longer than is necessary for loading or unloading Goods, or for taking up or setting down Passengers (except Hackney Carriages, and Horses and other Beasts of Draught or Burthen, standing for Hire in any Place appointed for that Purpose by the Commissioners or other lawful Authority), and every Person who, by means of any Cart, Carriage, Sledge, Truck, or Barrow, or any Animal, or other Means, wilfully interrupts any public Crossing, or wilfully causes any Obstruction in any public Footpath or other public Thoroughfare:

Every Person who causes any Tree or Timber or Iron Beam to be drawn in or upon any Carnage, without having sufficient Means of safely guiding the same :

Every Person who leads or rides any Horse or other Animal, or draws or drives any Cart or Carriage, Sledge, Truck, or Barrow upon any Footway of any Street, or fastens any Horse or other Animal so that it stands across or upon any Footway:

Every Person who places or leaves any Furniture, Goods, Wares, or Merchandize, or any Cask, Tub, Basket, Pail, or Bucket, or places or uses any Standing-place, Stool, Bench, Stall, or Showboard on any Footway, or who places any Blind, Shade, Covering, Awning, or other Projection over or along any such Footway, unless such Blind, Shade, Covering, Awning, or other Projection is Eight Feet in Height at least in every Part thereof from the Ground:

Every Person who places, hangs up, or otherwise exposes to Sale any Goods, Wares, Merchandize, Matter, or Thing whatsoever, so that the same project into or over any Footway, or beyond the Line of any House, Shop, or Building at which the same are so exposed, so as to obstruct or incommode the Passage of any Person over or along such Footway :

Every Person who rolls or carries any Cask, Tub, Hoop, or Wheel, or any Ladder, Plank, Pole, Timber, or Log of Wood, upon any Footway, except for the Purpose of loading or unloading any Cart or Carriage, or of crossing the Footway:

Every Person who places any Line, Cord, or Pole across any Street, or hangs or places any Clothes thereon :

Every common Prostitute or Nightwalker loitering and importuning Passengers for the Purpose of Prostitution :

Every Person who wilfully and indecently exposes his Person :

Every Person who publicly offers for Sale or Distribution, or exhibits to public View, any profane, indecent, or obscene Book, Paper, Print, Drawing, Painting, or Representation, or sings any profane or obscene Song or Ballad, or uses any profane or obscene Language :

Every Person who wantonly discharges any Firearm, or throws or discharges any Stone or other Missile, or makes any Bonfire, or throws or sets fire to any Firework :

Every Person who wilfully and wantonly disturbs any Inhabitant, by pulling or ringing any Door Bell, or knocking at any Door, or who wilfully and unlawfully extinguishes the Light of any Lamp :

Every Person who flies any Kite, or who makes or uses any Slide upon Ice or Snow :

Every Person who cleanses, hoops, fires, washes, or scalds any Cask or Tub, or hews, saws, bores, or cuts any Timber or Stone, or slacks, sifts, or screens any Lime :

Every Person who throws or lays down any Stones, Coals, Slate, Shells, Lime, Bricks, Timber, Iron, or other Materials (except Building Materials so inclosed as to prevent Mischief to Passengers) :

Every Person who beats or shakes any Carpet, Rug, or Mat (except Door Mats, beaten or shaken before the Hour of Eight in the Morning):

Every Person who fixes or places any Flower-pot or Box, or other heavy Article, in any upper Window, without sufficiently guarding the same against being blown down:

Every Person who throws from the Roof or any Part of any House or other Building any Slate, Brick, Wood, Rubbish, or other Thing, except Snow thrown so as not to fall on any Passenger ;

Every Occupier of any House or other Building or other Person who orders or permits any Person in his Service to stand on the Sill of any Window, in order to clean, paint, or perform any other Operation upon the Outside of such Window, or upon any House or other Building within the said Limits, unless such Window be in the sunk or Basement Story :

Every Person who leaves open any Vault or Cellar, or the Entrance from any Street to any Cellar or Room underground, without a sufficient Fence or Handrail, or leaves defective the Door, Window, or other Covering of any Vault or Cellar, or who does not sufficiently fence any Area, Pit, or Sewer left open, or who leaves such open Area, Pit, or Sewer without a sufficient Light after Sunset to warn and prevent Persons from falling thereinto :

Every Person who throws or lays any Dirt, Litter, or Ashes, or Nightsoil, or any Carrion, Fish, Offal, or Rubbish, on any Street, or causes any offensive Matter to run from any Manufactory, Brewery, Slaughter-house, Butcher's Shop, or Dunghill into any Street: Provided always, that it shall not be deemed an Offence to lay Sand or other Materials in any Street in Time of Frost, to prevent Accidents, or Litter or other suitable Materials to prevent the freezing of Water in Pipes, or in case of Sickness to prevent Noise, if the Party laying any such Things causes them to be removed as soon as the Occasion for them ceases:

Every Person who keeps any Pigstye to the Front of any Street, not being shut out from such Street by a sufficient Wall or Fence, or who keeps any Swine in or near any Street, so as to be a common Nuisance:

Nuisances

XXIX Penalty on drunken Persons, &c. guilty of riotous or indecent Behaviour.

Every Person drunk in any Street, and guilty of any riotous or indecent Behaviour therein, and also every Person guilty of any violent or indecent Behaviour in any Police Office or any Police Station House within the Limits of the special Act, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence, or, in the Discretion of the Justice before whom he is convicted, to Imprisonment for a Period not exceeding Seven Days.

Fires

And with respect to Fires, be it enacted as follows:

XXX Penalty for setting Chimneys wilfully on fire.

Every Person who wilfully sets or causes to be set on fire any Chimney within the Limits of the special Act shall be liable to a Penalty not exceeding Five Pounds: Provided always, that nothing herein contained shall exempt the Person so setting or causing to be set on fire any Chimney from Liability to be indicted for Felony.

XXXI Penalty for accidentally allowing Chimneys to catch fire.

If any Chimney accidentally catch or be on fire within the said Limits the Person occupying or using the Premises in which such Chimney is situated shall be liable to a Penalty not exceeding Ten Shillings : Provided always, that such Forfeiture shall not be incurred if such Person prove to the Satisfaction of the Justice before whom the Case

is heard that such Fire was in nowise owing to Omission, Neglect, or Carelessness of himself or Servant.

XXXII Fire Engines and Firemen may be provided by the Commissioners.

The Commissioners may purchase or provide such Engines for extinguishing Fire, and such Water Buckets, Pipes, and other Appurtenances for such Engines, and such Fire Escapes and other Implements for Safety or Use in case of Fire, and may purchase, keep, or hire such Horses for drawing such Engines as they think fit, and may build, provide, or hire Places for keeping such Engines with their Appurtenances, and may employ a proper Number of Persons to act as Firemen, and may make such Rules for their Regulation as they think proper, and give such Firemen and other Persons such Salaries and such Rewards for their Exertions in Cases of Fire, as they think fit.

XXXIII Fire Police permitted to go beyond the Limits of the Act in certain Cases.

The Commissioners may send such Engines, with their Appurtenances, and the said Firemen, beyond the Limits of the special Act, for extinguishing Fire in the Neighbourhood of the said Limits; and the Owner of the Lands or Buildings where such Fire shall have happened shall in such Case defray the actual Expence which may be thereby incurred, and shall also pay to the Commissioners a reasonable Charge for the Use of such Engines with their Appurtenances, and for the Attendance of such Firemen ; and in case of any Difference between the Commissioners and the Owner of the said Lands or Buildings, the Amount of the said Expences and Charge, as well as the Propriety of sending the said Engines and Firemen as aforesaid for extinguishing such Fire, (if the Propriety thereof be disputed,) shall be determined by Two Justices, whose Decision shall be final; and the Amount of the said Expences and Charge shall be recovered by the Commissioners as Damages.

Places of public Resort

And with respect to Places of public Resort, be it enacted as follows:

XXXIV Penalty on Victuallers harbouring Constables while on Duty.

Every Victualler or Keeper of any Public House, or Person licensed to sell Wine, Spirits, Beer, Cider, or other fermented or distilled Liquors by retail, to be drunk or consumed on the Premises, within the Limits of the special Act, who knowingly harbours or entertains or suffers to remain in his Public House or Place wherein he carries on his Business any Constable during any Part of the Time appointed for his being on Duty, unless for the Purpose of quelling any Disturbance or restoring Order, shall, for every such Offence, be liable to a Penalty not exceeding Twenty Shillings.

XXXV Penalty on Coffee Shop Keepers harbouring disorderly Persons.

Every Person keeping any House, Shop, Room, or other Place of public Resort within the Limits of the special Act for the Sale or Consumption of Refreshments of any Kind who knowingly suffers common Prostitutes or reputed Thieves to assemble at and continue in his Premises shall, for every such Offence, be liable to a Penalty not exceeding Five Pounds.

XXXVI Penalty on Persons keeping Places for Bear-baiting, Cock-fighting, &c.

Every Person who within the Limits of the special Act keeps or uses or acts in the Management of any House, Room, Pit, or other Place for the Purpose of fighting, baiting, or worrying any Animals shall be liable to a Penalty of not more than Five Pounds, or, in the Discretion of the Justices before whom he is convicted, to Imprisonment, with or without hard Labour, for a Time not exceeding One Month ; and the Commissioners may, by Order in Writing, authorize the Superintendent Constable, with such Constables as he thinks necessary, to enter any Premises kept or used for any of the Purposes aforesaid, and take into Custody all Persons found therein without lawful Excuse, and every Person so found shall be liable to a Penalty not exceeding Five Shillings, and a Conviction for this Offence shall not exempt the Owner, Keeper, or Manager of any such House, Room, Pit, or Place from any penal Consequence to which he is liable for the Nuisance thereby occasioned.

Hackney Carriages

And with respect to Hackney Carriages, be it enacted as follows:

XXXVII Hackney Carriages to be licensed.

The Commissioners may from Time to Time license to ply for Hire within the prescribed Distance, or if no Distance is prescribed, within Five Miles from the General Post Office of the City, Town, or Place to which the special Act refers, (which in that Case shall be deemed the prescribed Distance,) such Number of Hackney Coaches or Carriages of any Kind or Description adapted to the Carriage of Persons as they think fit.

XXXVIII What to be Hackney Carriages.

Every wheeled Carriage, whatever may be its Form or Construction, used in standing or plying for Hire in any Street within the prescribed Distance, and every Carriage standing upon any Street within the prescribed Distance, having thereon any numbered Plate required by this or the special Act to be fixed upon a Hackney Carriage, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, shall be deemed to be a Hackney Carriage within the Meaning of this Act; and in all Proceedings at Law or otherwise the Term " Hackney Carriage" shall be sufficient to describe any such Carriage: Provided always, that no Stage Coach used for the Purpose of standing or plying for Passengers to be carried for Hire at separate Fares, and duly licensed for that Purpose, and having thereon the proper numbered Plates required by Law to be placed on such Stage Coaches, shall be deemed to be a Hackney Carriage within the Meaning of this Act.

XXXIX Fee to be paid for Licence.

For every such Licence there shall be paid to the Clerk of the Commissioners, or other Person appointed by them to receive the same, such Sum as the Commissioners direct, not exceeding Five Shillings.

XL Persons applying for Licence to sign a Requisition for same.

Before any such Licence is granted a Requisition for the same, in such Form as the Commissioners from Time to Time provide for that Purpose, shall be made and signed by the Proprietor or One of the Proprietors of the Hackney Carriage in respect of which such Licence is applied for, and in every such Requisition shall be truly stated the Name and Surname and Place of Abode of the Person applying for such Licence, and of every Proprietor or part Proprietor of such Carriage, or Person concerned, either solely or in partnership with any other Person, in the keeping, employing, or letting to Hire of such Carriage; and any Person who, on applying for such Licence, states in such Requisition the Name of any Person who is not a Proprietor or part Proprietor of such Carriage, or who is not concerned as aforesaid in the keeping, employing, or letting to Hire of such Carriage, and also any Person who wilfully omits to specify truly in such Requisition as aforesaid the Name of any Person who is a Proprietor or part Proprietor of such Carriage, or who is concerned as aforesaid in the keeping, employing, or letting to Hire of such Carriage, shall be liable to a Penalty not exceeding Ten Pounds.

XLI What shall be specified in the Licences.

In every such Licence shall be specified the Name and Surname and Place of Abode of every Person who is a Proprietor or part Proprietor of the Hackney Carriage in respect of which such Licence is granted, or who is concerned, either solely or in Partnership with any other Person, in the keeping, employing, or letting to Hire of any such Carriage, and also the Number of such Licence which shall correspond with the Number to be painted or marked on the Plates to be fixed on such Carriage, together with such other Particulars as the Commissioners think fit.

XLII Licences to be registered.

Every Licence shall be made out by the Clerk of the Commissioners, and duly entered in a Book to be provided by him for that Purpose, and in such Book shall be contained Columns or Places for Entries to be made of every Offence committed by any Proprietor or Driver or Person attending such Carriage, and any Person may at any reasonable Time inspect such Book without Fee or Reward.

XLIII Licence to be in force for One Year only.

Every Licence so to be granted shall be under the Common Seal of the Commissioners, if incorporated, or if not incorporated, shall be signed by Two or more of the Commissioners, and shall not include more than One Carriage so licensed, and shall be in force for One Year only from the Day of the Date of such Licence, or until the next general licensing Meeting, in case any general licensing Day be appointed by the Commissioners.

XLIV Notice to be given by Proprietors of Hackney Carriages of any Change of Abode.

So often as any Person named in any such Licence as the Proprietor or One of the Proprietors, or as being concerned either solely or in Partnership with any Person in the keeping, employing, or letting to Hire of any such Carriage, changes his Place of Abode, he shall, within Seven Days next after such Change, give Notice thereof in Writing, signed by him, to the Commissioners, specifying in such Notice his new

Place of Abode; and he shall at the same Time produce such Licence at the Office of the Commissioners, who shall, by their Clerk, or some other Officer, endorse thereon and sign a Memorandum specifying the Particulars of such Change; and any Person named in any such Licence as aforesaid as the Proprietor, or One of the Proprietors, of any Hackney Carriage, or as being concerned as aforesaid, who changes his Place of Abode, and neglects or wilfully omits to give Notice of such Change, or to produce such Licence in order that such Memorandum as aforesaid may be endorsed thereon within the Time and in the Manner limited and directed by this or the special Act, shall be liable to a Penalty not exceeding Forty Shillings.

XLV Penalty for plying for Hire without a Licence.

If the Proprietor or part Proprietor of any Carriage, or any Person so concerned as aforesaid, permits the same to be used as a Hackney Carriage plying for Hire within the prescribed Distance without having obtained a Licence as aforesaid for such Carriage, or during the Time that such Licence is suspended as herein-after provided, or if any Person be found driving, standing, or plying for Hire with any Carriage within the prescribed Distance, for which such Licence as aforesaid has not been previously obtained, or without having the Number of such Carriage corresponding with the Number of the Licence openly displayed on such Carriage, every such Person so offending shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

XLVI Drivers not to act without first obtaining a Licence.

No Person shall act as Driver of any Hackney Carriage licensed in pursuance of this or the special Act to ply for Hire within the prescribed Distance without first obtaining a Licence from the Commissioners, which Licence shall be registered by the Clerk to the Commissioners, and a Fee of One Shilling shall be paid for the same ; and every such Licence shall be in force until the same is revoked, except during the Time that the same may be suspended as after mentioned.

XLVII Penalty on Drivers acting without Licence.

If any Person acts as such Driver as aforesaid without having obtained such Licence or during the Time that his Licence is suspended, or if he lend or part with his Licence, except to the Proprietor of the Hackney Carriage, or if the Proprietor of any such Hackney Carriage employ any Person as the Driver thereof who has not obtained such Licence, or during the Time that his Licence is suspended, as herein-after provided, every such Driver and every such Proprietor shall, for every such Offence, respectively be liable to a Penalty not exceeding Twenty Shillings.

XLVIII Proprietor to retain Licence of Drivers when in his Employ, and to produce the same when summoned. Justices may endorse Convictions upon Licences. Penalty on Proprietors for Neglect.

In every Case in which the Proprietor Of any such Hackney Carriage permits or employs any licensed Person to act as the Driver thereof, such Proprietor shall cause to be delivered to him, and shall retain in his Possession, the Licence of such Driver while such Driver remains in his Employ; and in all Cases of Complaint, where the Proprietor of a Hackney Carriage is summoned to attend before a Justice, or to produce the Driver, the Proprietor so summoned shall also produce the Licence of such Driver,

if he be then in his Employ ; and if any Driver complained of be adjudged guilty of the Offence alleged against him, such Justice shall make an Endorsement upon the Licence of such Driver, stating the Nature of the Offence and the Amount of the Penalty inflicted; and if any such Proprietor neglect to have delivered to him and to retain in his Possession the Licence of any Driver while such Driver remains in his Employ, or if he refuse or neglect to produce such Licence as aforesaid, such Proprietor shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

XLIX Proprietor to return Licence to Drivers when quitting his Service if they behave well, if otherwise, Proprietors to summon them. Compensation in case of Licence being improperly withheld.

When any Driver leaves the Service of the Proprietor by whom he is employed without having been guilty of any Misconduct, such Proprietor shall forthwith return to such Driver the Licence belonging to him ; but if such Driver have been guilty of any Misconduct, the Proprietor shall not return his Licence, but shall give him Notice of the Complaint which he intends to prefer against him, and shall forthwith summon such Driver to appear before any Justice to answer the said Complaint; and such Justice, having the necessary Parties before him, shall inquire into and determine the Matter of Complaint, and if upon Inquiry it appear that the Licence of such Driver has been improperly withheld, such Justice shall direct the immediate Re-delivery of such Licence, and award such Sum of Money as he thinks proper to be paid by such Proprietor to such Driver by way of Compensation.

L Licences to be suspended or revoked for Misconduct.

The Commissioners may, upon the Conviction for the Second Time of the Proprietor or Driver of any such Hackney Carriage for any Offence under the Provisions of this or the special Act with respect to Hackney Carriages, or any Bye Law made in pursuance thereof, suspend or revoke, as they deem right, the Licence of any such Proprietor or Driver.

LI Number of Persons to be carried in a Hackney Carriage to be painted thereon

No Hackney Carriage shall be used or employed or let to Hire, or shall stand or ply for Hire within the prescribed Distance, unless the Number of Persons to be carried by such Hackney Carriage, in Words at Length, and in Form following, (that is to say,) " To carry Persons," be painted on a Plate placed on some conspicuous Place on the Outside of such Carriage, and in legible Letters, so as to be clearly distinguishable from the Colour of the Ground whereon the same are painted, One Inch in Length, and of a proportionate Breadth; and the Driver of any such Hackney Carriage shall not be required to carry in or by such Hackney Carriage a greater Number of Persons than the Number painted thereon.

LII Penalty for Neglect or for Refusal to carry the prescribed Number.

If the Proprietor of any Hackney Carriage permit the same to be used, employed, or let to Hire, or if any Person stand or ply for Hire with such Carriage, without having the Number of Persons to be carried thereby painted and exhibited in manner aforesaid, or if the Driver of any such Hackney Carriage refuse, when required by the Hirer thereof, to carry in or by such Hackney Carriage the Number of Persons painted thereon, or

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any less Number, every Proprietor or Driver so offending shall be liable to a Penalty not exceeding Forty Shillings.

LIII Penalty on Driver for refusing to drive.

Any Driver of a Hackney Carriage standing at any of the Stands for Hackney Carriages appointed by the Commissioners, or in any Street, who refuses or neglects, without reasonable Excuse, to drive such Carriage to any Place within the prescribed Distance, or the Distance to be appointed by any Bye Law of the Commissioners, not exceeding the prescribed Distance, to which he is directed to drive by the Person hiring or wishing to hire such Carriage, shall for every such Offence be liable to a Penalty not exceeding Forty Shillings.

LIV Penalty for demanding more than the Sum agreed for, though less than the legal Fare.

If the Proprietor or Driver of any such Hackney Carriage, or if any other Person on his Behalf, agree beforehand with any Person hiring such Hackney Carriage to take for any Job a Sum less than the Fare allowed by this or the special Act, or any Bye Law made thereunder, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if he exact or demand for such Job more than the Fare so agreed upon.

LV Agreement to pay more than the legal Fare not to be binding, and Sum paid beyond the proper Fare may be recovered back.

No Agreement whatever made with the Driver, or with any Person having or pretending to have the Care of any such Hackney Carriage, for the Payment of more than the Fare allowed by any Bye Law made under this or the special Act, shall be binding on the Person making the same, and any such Person may, notwithstanding such Agreement, refuse, on discharging such Hackney Carriage, to pay any Sum beyond the Fare allowed as aforesaid, and if any Person actually pay to the Driver of any such Hackney Carriage, whether in pursuance of any such Agreement or otherwise, any Sum exceeding the Fare to which such Driver was entitled, the Person paying the same shall be entitled, on Complaint made against such Driver before any Justice of the Peace, to recover back the Sum paid beyond the proper Fare, and moreover such Driver shall be liable to a Penalty for such Exaction not exceeding the Sum of Forty Shillings, and in default of the Repayment by such Driver of such Excess of Fare, or of Payment of the said Penalty, such Justice shall forthwith commit such Driver to Prison, there to remain for any Time not exceeding One Month, unless the said Excess of Fare and the said Penalty be sooner paid.

LVI Driver to carry, under an Agreement for a discretionary Distance, the Distance to which Hirer is entitled for the Fare.

If the Proprietor or Driver of any such Hackney Carriage, or if any other Person on his Behalf, agree with any Person to carry in or by such Hackney Carriage Persons not exceeding in Number the Number so painted on such Carriage as aforesaid, for a Distance to be in the Discretion of such Proprietor or Driver, and for a Sum agreed upon, such Proprietor or Driver shall be liable to a Penalty not exceeding Forty Shillings if the Distance which he carries such Persons be under that to which they were entitled to be carried for the Sum so agreed upon according to the Fare allowed by this or the special Act, or any Bye Law made in pursuance thereof.

LVII Deposit to be made for Carriages waiting. Penalty on the Driver refusing to wait, or to account for the Deposit.

When any Hackney Carriage is hired and taken to any Place, and the Driver thereof is required by the Hirer there to wait with such Hackney Carriage, such Driver may demand and receive from such Hirer his Fare for driving to such Place, and also a Sum equal to the Fare of such Carriage for the Period, as a Deposit over and above such Fare, during which he is required to wait as aforesaid, or if no Fare for Time be fixed by the Bye Laws, then the Sum of One Shilling and Sixpence for every Half Hour during which he is so required to wait, which Deposit shall be accounted for by such Driver when such Hackney Carriage is finally discharged by such Hirer; and if any such Driver who has received any such Deposit as aforesaid refuses to wait as aforesaid, or goes away or permits such Hackney Carriage to be driven or taken away without the Consent of such Hirer, before the Expiration of the Time for which such Deposit was made; or if such Driver on the final Discharge of such Hackney Carriage refuse duly to account for such Deposit, every such Driver so offending shall be liable to a Penalty not exceeding Forty Shillings.

LVIII Overcharge by Hackney Coachmen, &c. to be included in Conviction, and returned to aggrieved Party.

Every Proprietor or Driver of any such Hackney Carriage who is convicted of taking as a Fare a greater Sum than is authorized by any Bye Law made under this or the special Act shall be liable to a Penalty not exceeding Forty Shillings, and such Penalty may be recovered before One Justice; and in the Conviction of such Proprietor or Driver an Order may be included for Payment of the Sum so overcharged, over and above the Penalty and Costs; and such Overcharge shall be returned to the Party aggrieved, whose Evidence shall be admissible in Proof of the said Offence.

LIX Penalty for permitting Persons to ride without Consent of the Hirer.

Any Proprietor or Driver of any such Hackney Carriage which is hired who permits or suffers any Person to be carried in or upon or about such Hackney Carriage during such Hire, without the express Consent of the Person hiring the same, shall be liable to a Penalty not exceeding Twenty Shillings.

LX No Person to act as Driver of any Carriage without the Consent of the Proprietor.

No Person authorized by the Proprietor of any Hackney Carriage to act as Driver of such Carriage shall suffer any other Person to act as Driver of such Carriage without the Consent of the Proprietor thereof, and no Person, whether licensed or not, shall act as Driver of any such Carriage without the Consent of the Proprietor, and any Person so suffering another Person to act as Driver, and any Person so acting as Driver without such Consent as aforesaid, shall be liable to a Penalty not exceeding Forty Shillings for every such Offence.

LXI Penalty on Drivers misbehaving.

If the Driver or any other Person having or pretending to have the Care of any such Hackney Carriage be intoxicated while driving, or if any such Driver or other Person by wanton and furious driving, or by any other wilful Misconduct, injure or

endanger any Person in his Life, Limbs, or Property, he shall be liable to a Penalty not exceeding Five Pounds, and in default of Payment thereof the Justice before whom he is convicted of such Offence may commit him to Prison, there to remain for any Time not exceeding Two Months.

LXII Penalty for, leaving Carriages unattended at Places of public Resort.

If the Driver of any such Hackney Carriage leave it in any Street or at any Place of public Resort or Entertainment, whether it be hired or not, without some one proper to take care of it, any Constable may drive away such Hackney Carriage and deposit it, and the Horse or Horses harnessed thereto, at some neighbouring Liver Stable or other Place of safe Custody ; and such Driver shall be liable to a Penalty not exceeding Twenty Shillings for such Offence, and in default of Payment of the said Penalty upon Conviction, and of the Expences of taking and keeping the said Hackney Carriage and Horse or Horses, the same, together with the Harness belonging thereto, or any of them, shall be sold by Order of the Justice before whom such Conviction is made, and after deducting from the Produce of such Sale the Amount of the said Penalty, and of all Costs and Expences, as well of the Proceedings before such Justice as of the taking, keeping, and Sale of the said Hackney Carriage, and of the said Horse or Horses and Harness, the Surplus (if any) of the said Produce shall be paid to the Proprietor of such Hackney Carriage.

LXIII Damage done by Driver may be recovered from the Proprietor.

In every Case in which any Hurt or Damage has been caused to any Person or Property as aforesaid by the Driver of any Carriage let to Hire, the Justice before whom such Driver has been convicted may direct that the Proprietor of such Carriage shall pay such a Sum not exceeding Five Pounds as appears to the Justice a reasonable Compensation for such Hurt or Damage; and every Proprietor who pays any such Compensation as aforesaid may recover the same from the Driver, and such Compensation shall be recoverable from such Proprietor, and by him from such Driver, as Damages.

LXIV Improperly standing with Carriage; refusing to give way to, or obstructing any other Driver; or depriving him of his Fare.

Any Driver of any Hackney Carriage who suffers the same to stand for Hire across any Street or alongside of any other Hackney Carriage, or who refuses to give way, if he conveniently can, to any other Carriage, or who obstructs or hinders the Driver of any other Carriage in taking up or setting down any Person into or from such other Carriage, or who wrongfully in a forcible Manner prevents or endeavours to prevent the Driver of any other Hackney Carriage from being hired, shall be liable to a Penalty not exceeding Twenty Shillings.

LXV Justices empowered to award Compensation to Drivers for Loss of Time in attending to answer Complaints not substantiated.

If the Driver of any such Hackney Carriage be summoned or brought before any Justice to answer any Complaint or Information touching or concerning any Offence alleged to have been committed by such Driver against the Provisions of this or the special Act, or any Bye Law made thereunder, and such Complaint or Information be afterwards withdrawn or quashed or dismissed, or if such Driver be acquitted of the Offence

charged against him, the said Justice, if he think fit, may order the Complainant or Informant to pay to the said Driver such Compensation for his Loss of Time in attending the said Justice touching or concerning such Complaint or Information as to the said Justice seems reasonable, and in default of Payment of such Compensation, the said Justice may commit such Complainant or Informant to Prison for any Time not exceeding One Month, unless the same shall be sooner paid.

LXVI Penalty for refusing to pay the Fare.

If any Person refuse to pay on Demand to any Proprietor or Driver of any Hackney Carriage the Fare allowed by this or the special Act, or any Bye Law made thereunder, such Fare may, together with Costs, be recovered before One Justice as a Penalty.

LXVII Penalty for damaging Carriage.

Any Person using any Hackney Carriage plying under a Licence granted by virtue of this or the special Act, who wilfully injures the same, shall for every such Offence be liable to a Penalty not exceeding Five Pounds, and shall also pay to the Proprietor of such Hackney Carriage reasonable Satisfaction for the Damage sustained by the same; and such Satisfaction shall be ascertained by the Justices before whom the Conviction takes place, and shall be recovered by the same Means as the Penalty.

LXVIII Commissioners may make Bye Laws for regulating Hackney Carriages.

The Commissioners may from Time to Time (subject to the Restrictions of this and the special Act) make Bye Laws for all or any of the Purposes following; (that is to say,)

For regulating the Conduct of the Proprietors and Drivers of Hackney Carriages plying within the prescribed Distance in their several Employments, and determining whether such Drivers shall wear any and what Badges, and for regulating the Hours within which they may exercise their Calling:

For regulating the Manner in which the Number of each Carriage, corresponding with the Number of its Licence, shall be displayed:

For regulating the Number of Persons to be carried by such Hackney Carriages, and in what Manner such Number is to be shown on such Carriage, and what Number of Horses or other Animals is to draw the same, and the placing of Check Strings to the Carriages, and the holding of the same by the Driver, and how such Hackney Carriages are to be furnished or provided:

For fixing the Stands of such Hackney Carriages and the Distance to which they may be compelled to take Passengers, not exceeding the prescribed Distance:

For fixing the Rates or Fares, as well for Time as Distance, to be paid for such Hackney Carriages within the prescribed Distance, and for securing the due Publication of such Fares :

For securing the safe Custody and Re-delivery of any Property accidentally left in Hackney Carriages, and fixing the Charges to be made in respect thereof.

Bathing

And with respect to public Bathing, be it enacted as follows:

LXIX Bathing Machines.

Where any Part of the Sea-shore or Strand of any River used as a public Bathing-place is within the Limits of the special Act the Commissioners may make Bye Laws for the following Purposes ; (that is to say,)

For fixing the Stands of Bathing Machines on the Sea-shore or Strand, and the Limits within which Persons of each Sex shall be set down for bathing, and within which Persons shall bathe:

For preventing any indecent Exposure of the Persons of the Bathers:

For regulating the Manner in which the Bathing Machines shall be used, and the Charges to be made for the same:

For regulating the Distance at which Boats and Vessels let to hire for the Purpose of sailing or rowing for Pleasure shall be kept from Persons bathing within the prescribed Limits,

LXX Regulations as to Rates.

And with respect to the Rates to be made for carrying the Purposes of this and the special Act into execution, be it enacted, That all the Clauses of the Towns Improvement Clauses Act, 1847, with respect to the following Matters ; (that is to say,)

With respect to the Manner of making Rates authorized by that or the special Act;

With respect to the Appeal to be made against any Rate ; and

With respect to the Recovery of Rates ;

shall be incorporated with this and the special Act.

LXXI Bye Laws.

And with respect to Bye Laws, be it enacted, That all the Clauses of the Towns Improvement Clauses Act, 1847, with respect to the Bye Laws to be made by virtue of that or the special Act shall be incorporated with this and the special Act.

LXXII Tender of Amends.

And with respect to the Tender of Amends, be it enacted, That if any Party have committed any Irregularity, Trespass, or other wrongful Proceeding in the Execution of this or the special Act, or any Act incorporated therewith, or by virtue of any Power or Authority thereby given, and if, before Action brought in respect thereof, such Party make Tender of sufficient Amends to the Party injured, such last-mentioned Party shall not recover in any such Action; and if no such Tender have been made, the Defendant, by Leave of the Court where such Action is pending, may at any Time: before Issue joined pay into Court such Sum of Money as he thinks fit, and thereupon such Proceedings shall be had as in other Cases where Defendants are allowed to pay Money into Court.

Recovery of Damages and Penalties

And with respect to the Recovery of Damages not specially provided for, and of Penalties, and to the Determination of any other Matter referred to Justices, be it enacted as follows :

LXXIII Recovery of Damages and Penalties.

The Clauses of the Railways Clauses Consolidation Act, 1845, with respect to the Recovery of Damages not specially provided for, and Penalties, and to the Determination of any other Matter referred to Justices, shall be incorporated with this and the special Act; and such Clauses shall apply to the Town or District within the Limits of the special Act, and to the Commissioners, and shall be construed as if the Word "Commissioners" had been inserted therein instead of the Word " Company. "

LXXIV In Ireland Part of Penalties to be paid to Guardians of Unions.

Provided always, That in *Ireland*, in the Case of any Penalty imposed by Justices where the Application is not otherwise provided for, such Justices may award not more than One Half of such Penalty to the Informer, and shall award the Remainder to the Guardians of the Poor of the Union within which the Offence was committed, to be applied in aid of the Poor Rates of such Union.

LXXV All Things required to be done by Two Justices may, in certain Cases, be done by One.

All Things herein or in the special Act, or any Act incorporated herewith, authorized or required to be done by Two Justices, may and shall be done by any One Magistrate having by Law Authority to act alone for any Purpose with the Powers of Two or more Justices.

LXXVI Persons giving false Evidence liable to Penalties of Perjury.

Every Person who, upon any Examination upon Oath, under the Provisions of this or the special Act, or any Act incorporated therewith, shall wilfully and corruptly give false Evidence, shall be liable to the Penalties of wilful and corrupt Perjury.

Access to special Act

And with respect to affording Access- to the special Act, be it enacted as follows:

LXXVII Copies of special Act to be kept and deposited and allowed to be inspected.

The Commissioners shall at all Times after the Expiration of Six Months after the passing of the special Act keep in their principal Office of Business a Copy of the special Act printed by the Printers to Her Majesty, or some of them, and shall also within the Space of such Six Months deposit in the Office of the Clerk of the Peace of the County in which the Town or District within the Limits of the special Act is situated, a Copy of such special Act so printed as aforesaid; and the said Clerk of the Peace shall receive, and he and the Commissioners respectively shall retain, the said Copies of the special Act, and shall permit all Persons interested to inspect the same, and make Copies or Extracts therefrom, in the like Manner and upon the like Terms, and under the like Penalty for Default, as is provided in the Case of certain Plans and Sections by an Act passed in the First Year of the Reign of Her present Majesty, intituled *An Act to compel Clerks of the Peace for Counties, and other Persons, to take the Custody of such Documents as shall be directed to be deposited with them under the Standing Orders of either House of Parliament.*

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LXXVIPenalty on failing to keep or deposit such Copies.

If the Commissioners fail to keep or deposit, as hereinbefore mentioned, any of the said Copies of the special Act, they shall forfeit Twenty Pounds for every such Offence, and also Five Pounds for every Day afterwards during which such Copy is not so kept or deposited.

LXXIXAct may be amended, &c.

And be it enacted, That this Act may be amended or repealed by any Act to be passed in this Session of Parliament.