



ANNO SEXTO

## VICTORIÆ REGINÆ,

No. 4.

*By His Excellency SIR JOHN FRANKLIN, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Greek Order of the Redeemer, and a Captain in Her Majesty's Royal Navy, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the advice of the Legislative Council.*

*AN ACT for the Regulation of Vehicles conveying Passengers for Hire within the Towns of this Island.*

**W**HEREAS it is expedient to subject to regulation Vehicles conveying Passengers and plying for Hire within the towns of this Colony or within a certain distance therefrom—**BE IT THEREFORE ENACTED** by His Excellency SIR JOHN FRANKLIN Knight Commander of the Royal Hanoverian Guelphic Order Knight of the Greek Order of the Redeemer and a Captain in Her Majesty's Royal Navy Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that from and after the First day of October now next ensuing if any person shall use or employ or be concerned as proprietor or part proprietor in using or employing any Vehicle in conveying any passenger or passengers for Hire within any of the towns of this Colony or within three miles from such towns respectively without being duly licensed in respect of every such Vehicle in the manner hereinafter mentioned such person shall forfeit and pay a penalty not exceeding Ten Pounds.

PREAMBLE.

Penalty for conveying Passengers without a Licence.

**II. AND BE IT ENACTED** that for every Licence under this Act the sum of Ten Shillings shall be charged and the same shall be in the form and shall contain the several particulars mentioned in the Schedule to this Act annexed and shall be granted by the Police Magistrate or Assistant Police Magistrate of the District within which such Vehicle may ply upon payment of the sum of Ten Shillings being made into his hands and upon the application of the proprietor in writing made to him for that purpose.

Fee for Licence and how to be obtained.

Duration of  
Licence.

III. AND BE IT ENACTED that every such Licence shall continue in force for the space of One Year from the day of the date thereof and no longer—PROVIDED that every such Licence shall be renewed not only from year to year but also may be transferred by any Police Magistrate or Assistant Police Magistrate on the application of parties interested but without any additional expense.

Number of Li-  
cence to be affixed  
on Vehicle.

IV. AND BE IT ENACTED that the proprietor of every such Vehicle shall under a penalty not exceeding Five Pounds keep affixed upon some conspicuous part thereof the Number of the Licence issued to him.

Misconduct of  
driver.

V. AND BE IT ENACTED that if the driver of any such Vehicle shall convey thereby a greater number of passengers than is specified on the Licence for the same or shall by intoxication furious driving negligence or other misconduct endanger the safety of any person whether a passenger or not or shall by language or otherwise abuse or insult any passenger by such Vehicle such driver shall forfeit and pay a penalty or sum not exceeding Ten Shillings nor more than Five Pounds.

Magistrates to ap-  
point Stands.

VI. AND BE IT ENACTED that it shall be lawful for the respective Police Magistrates or Assistant Police Magistrates of the towns within which such Vehicles shall be licensed to ply and they are hereby required by notice under their hands respectively to be published in the Hobart Town Gazette to appoint proper places as Stands for such Licensed Vehicles as aforesaid and such notice from time to time to annul alter vary and amend as they respectively shall see fit and the driver of any such Vehicle who shall after the publication of any such notice draw up or station his Vehicle at any other place than that which shall be included in any such notice in force at the time of any alleged offence in order to ply for hire shall upon conviction forfeit a penalty not exceeding Forty Shillings.

Penalty for draw-  
ing up elsewhere.

Proprietor liable  
for fines if driver  
do not pay.

VII. AND BE IT ENACTED that if the driver of any such Vehicle shall in any case be unknown or shall not satisfy within seven days the amount of any fine imposed upon him the proprietor or proprietors of such Vehicle shall be liable to the payment of every such fine in the same manner in all respects as if he or they had personally been convicted of the offence.

Justices in Ses-  
sions to fix Fares.

VIII. AND BE IT ENACTED that it shall be lawful for the Justices sitting in Quarter Sessions for any District or Districts in this Island within which such Licensed Vehicles may be employed as aforesaid and they are hereby required at their first sittings after the passing of this Act and in the month of October in every succeeding year to regulate and fix by a table or tables to be by them for that purpose made the respective Fares to be charged to passengers by such Vehicles and the said Fares to vary and alter from time to time and other Fares in lieu thereof to fix and establish and such Fares when so regulated and fixed or altered shall be published in the Hobart Town Gazette and in some one Newspaper published at Hobart Town or Launceston and shall be deemed to

be the Fares which from and after such publication may be lawfully taken and demanded by the driver or proprietor of any such Licensed Vehicle and if any such driver or proprietor shall ask or demand any higher Fare than shall be so fixed as aforesaid he shall for every such offence forfeit and pay a penalty not exceeding Forty Shillings. Penalty for asking more.

IX. AND BE IT ENACTED that if the driver of any Vehicle licensed under this Act shall between the hours of sunrise and sunset refuse or neglect to convey any person desirous of hiring his Vehicle (unless he shall be then actually hired to some other person) he shall on conviction forfeit and pay a penalty not exceeding Forty Shillings. Drivers refusing to go.

X. AND BE IT ENACTED that if any complaint shall be preferred before any Police or Assistant Police Magistrate or person acting as such touching the Distance for which any such driver may be entitled to charge such Distance shall be determined by such Magistrate and any necessary expense not exceeding Forty Shillings which the said Magistrate may think fit to incur for ascertaining the same shall be paid as costs by the party against whom a decision shall be given by such Magistrate. Determining disputes as to Distance.

XI. AND BE IT ENACTED that every Vehicle drawn by one or more horses and ordinarily used solely for the conveyance of Passengers shall be deemed to be a Vehicle intended to be regulated by this Act and shall come within the meaning thereof—PROVIDED ALWAYS that this Act shall in nowise interfere with or annul any of the provisions of the Act of this Island intituled *An Act for the Regulation of Stage Coaches*. Vehicles within the meaning of this Act.

XII. AND BE IT ENACTED that all Offences against this Act shall upon information in that behalf exhibited be in a summary way heard and determined and every Fine or Penalty in respect thereof be awarded and imposed by and before any one or more Justice or Justices in the manner provided by the Act intituled *An Act to regulate Summary Proceedings before Justices of the Peace* and all such Fines and Penalties shall go and be distributed and all persons aggrieved by any summary conviction under this Act shall be entitled to appeal therefrom in the manner also by the said Act provided. Recovery of Penalties.

XIII. AND BE IT FURTHER ENACTED that all Fees which shall be levied and received under this Act shall be paid into the Treasury and appropriated to Her Majesty Her heirs and successors in aid of the general fund for the support and maintenance of the Government of this Colony. Appropriation.

JOHN FRANKLIN,

Passed the Legislative Council this thirty-first day of August, one thousand eight hundred and forty-two,

FR. HARTWELL HENSLOWE, *Clerk of the Council.*

## SCHEDULE.

No.

WHEREAS A. B. proprietor of a certain Vehicle called a \_\_\_\_\_ has applied to me the undersigned to grant him a Licence to keep use and employ such Vehicle in conveying Passengers within the Town of \_\_\_\_\_ and within three miles therefrom and has paid into my hands the sum of Ten Shillings—I do hereby license the said A. B. to carry and convey in and by such Vehicle the number of [*insert the number the Vehicle can conveniently contain*] Passengers and no more at any one time subject to the provisions of the Act of this Island intituled *An Act for the Regulation of Vehicles conveying Passengers for Hire within the Towns of this Island*. This Licence to be in force for Twelve Calendar Months from the date thereof and no longer.

Given under my hand this \_\_\_\_\_ day of \_\_\_\_\_  
184 \_\_\_\_\_

(Signed) C. D.