



WESTERN AUSTRALIA.

ANNO TRICESIMO

VICTORIÆ REGINÆ.

NO. XII.

AN ORDINANCE further to regulate Public Conveyances, carrying Passengers for hire, and to prevent the ill-treatment of Horses and Cattle.

[25th September, 1866.]

WHEREAS it is expedient to limit the number, and otherwise to provide for the safety, of Passengers in Vehicles plying for hire, and to prevent the ill-treatment of Horses and Cattle; Be it therefore enacted by His Excellency the Governor of Western Australia, and its dependencies, by and with the advice and consent of the Legislative Council thereof, as follows:—

1 IT shall be incumbent on the Justices of the Peace, at any General Annual Licensing Meeting, or at any Petty Sessions, issuing a License under the Ordinance of the Legislative Council, No. 14, of 1850, and the Chairman of the City Council at Perth, issuing any License under the Ordinance of the said Council, No. 4, of 1865, for a Vehicle, to state in such License, the name of the driver or intended driver of such Vehicle, the number of Passengers and the quantity of Luggage, as upon inspection of the said Vehicle, the same may appear qualified and able to carry, without danger to the passengers or cruelty to the horses; And such Justices, or Chairman, as the case may be, may authorise a change of driver, and on application,

Justices, &c., to limit the number of Passengers carried for hire.

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tion, from time to time may insert the name of such newly appointed driver in such license; And such license shall be to the effect of the form in Schedule A hereunder written.

Vehicles to be inspected, and drivers fitness provided for.

2 NO License shall be granted to any Vehicle under either of the said Ordinances, unless it shall appear on inspection that there is a space of at least Sixteen inches in width in the clear for every passenger licensed to be carried therein, nor unless the driver or intended driver thereof is named on applying for such license and is a fit and proper person; and every vehicle which may be licensed shall be brought to the Justices or Officer issuing the license, for inspection upon every renewal of the license in respect thereof.

Drivers carrying an unauthorized number of passengers penalty £20.

3 EVERY Driver of any vehicle carrying passengers for hire, without having obtained a license so to do as hereinbefore provided, or who, after the First day of January next, shall carry or convey in or upon such vehicle, a greater number of passengers, or a greater quantity of luggage, than is authorized by such license, or who shall at any place where such vehicle shall stop quit the box thereof, or the horses drawing the same, without delivering the reins into the hands of some fit and proper person, or before some fit and proper person shall stand at the heads of the horses, and shall have the command thereof, and until such driver shall have returned and seated himself and taken the reins, or who shall, without reasonable excuse, permit any passenger or any person other than himself to drive the horses drawing such vehicle, or who shall allow any drunken or disorderly person or persons to get into or continue in such vehicle, or who shall assault or use abusive or insulting language to any person travelling or about to travel or having travelled as a passenger with or by such vehicle, or to any person accompanying or attending upon any such passenger in coming to or going from any such vehicle, shall upon conviction for every such offence, forfeit any sum not exceeding Twenty Pounds, or in default of payment shall be imprisoned for a period not exceeding Two Months.

Number of passengers allowed, to be painted on vehicle.

4 EVERY Vehicle shall have on the near side thereof under the name of the person licensed, the number of passengers which the same shall be licensed to carry, painted in white letters of at least One inch in diameter, on a black ground, and in default thereof the owner of such vehicle shall, for every such offence, forfeit a sum of not exceeding Forty Shillings.

Justices, &c., may withhold license if vehicle is not suitable.

5 THE Justices or Chairman as the case may be issuing any such license, shall inspect every vehicle prior to licensing the same and if of opinion the same is not sufficient in all respects for the purpose

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purpose for which it is intended, shall withhold such license for any such vehicle, until the same is made sufficient to their or his satisfaction; and may refuse to issue or may withdraw the same upon the ground of the unfitness or improper conduct of any driver or of the unfitness of the vehicle.

6 THE onus of proof of a license under either of the said Ordinances, shall in the first instance lie on the accused. Proof of License on accused.

7 ANY person who shall wantonly and cruelly beat, ill-treat, abuse, or torture any horse, bullock, or other animal which he may be riding, driving, or using, or who shall otherwise misbehave himself in the management or care thereof shall be liable to a penalty of not more than £5; and any Police Constable or other person may take into custody any person so wantonly and cruelly beating, ill-treating, abusing, or torturing any horse, bullock, or other animal, and may take such person before any Justice of the Peace to be dealt with according to law. Ill-treating animals, penalty £5.

8 ALL penalties and forfeitures under this Ordinance shall be recoverable and enforced before any one or more Justice or Justices of the Peace, in a similar manner as forfeitures may be recovered and enforced under the said recited Ordinance No. 4, of 1865. Penalties.

9 THE word 'Vehicle' in this Ordinance shall mean and include every omnibus, coach, landau, chariot, chaise, gig, dog-cart, trap, sociable, caravan, curricule, cart, van, waggon, or other carriage intended to carry, or carrying passengers for hire. Interpretation.

10 THIS Ordinance may be cited as the "Passenger by land Ordinance," 1866. Short Title.

J. S. HAMPTON,

GOVERNOR AND COMMANDER-IN-CHIEF.

L.S.

Passed the Legislative Council.
this 25th day of September, 1866.

G. S. PASCOE,

Acting Clerk of the Council.

SCHEDULE

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SCHEDULE A.

FORM OF LICENSE.

No.

A. B. is hereby Licensed to keep, employ, and let to hire for the carriage of Passengers a [*here describe the vehicle*] to be drawn by
and to carry
[*and* *lbs weight of Luggage*] such Vehicle to be driven
by [*here insert the name and description of driver*] and this License will
remain in force until the day of next.

C. D.

Justice of the Peace. [*or*
as the case may be.]