



1854.

No. 1.

An Act to amend "An Act to provide for the regulation and licensing of Public Conveyances, and to prevent the wanton ill treatment of Horses and Cattle."

[Assented to, September 14, 1854.]

WHEREAS it is expedient to amend an Act, No. 19 of 1853, intituled "An Act to provide for the regulation and licensing of Public Conveyances, and to prevent the wanton ill treatment of Horses and Cattle"—Be it therefore Enacted by the Lieutenant-Governor of South Australia, with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

1. If any vehicle shall ply for hire which shall not have the name of the owner thereof, and the number of passengers which the same shall be licensed to carry, painted thereon, as required by the said Act, the owner of such vehicle shall for every such offence forfeit and pay the sum of Forty Shillings.

Penalty upon the owner of any vehicle not having his name painted thereon.

2. Every licence issued under the authority of the said Act, or of this Act, shall be in force until the tenth day of July, or tenth day of January, whichever shall next succeed the date of its issue, and no longer, instead of the period of six months limited by the said Act.

Licences to expire on the 10th of July and 10th of January.

3. It shall be lawful for the Commissioner of Police, or other Officer appointed by the Governor, to grant a licence as required by the said Act, to the owner of any vehicle of a novel or superior construction, to carry such a number of passengers as, upon inspection thereof, the same may appear qualified and able to carry without danger to the passengers or cruelty to the horses, although the number mentioned in such licence may exceed the number limited

Commissioner of Police or other Officer may license vehicles.

limited by the said Act, and to charge and receive for every such licence the sum of Two Shillings for every passenger which the vehicle therein referred to may be licensed to carry.

No vehicle to be licensed unless of proper dimensions.

4. No licence shall be granted to any vehicle, which shall not have been licensed prior to the first day of January next, under the said Act, 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 thereby; and every vehicle which may be licensed shall be brought to the said Commissioner of Police or other Officer for inspection upon every renewal of the licence granted in respect thereof.

Appeal from decision of Commissioner of Police.

5. In the event of the refusal of the Commissioner of Police or other Officer, as aforesaid, to issue a licence under the said Act for any vehicle, it shall be lawful for the owner of such vehicle to appeal from such refusal to any two Justices of the Peace of the said Province, one thereof being a Special Magistrate, upon giving not less than seven days' notice, of such appeal, to the said Commissioner of Police or other Officer, as aforesaid; and it shall be lawful for such two Justices to inquire into the matter of such appeal, and to inspect the vehicle so refused to be licensed, and, at their discretion, to confirm such refusal or to direct a licence to be issued under the authority of the said Act, in which event, the said Commissioner of Police or other Officer shall issue a licence accordingly.

Luggage may be carried in the place of passengers.

6. If any vehicle licensed under the said Act, or this Act, shall upon any occasion carry less than the number of passengers which the same is licensed to carry, it shall be lawful for such vehicle to carry luggage not exceeding in weight one hundred and fifty pounds in the place of every passenger authorized by the licence to be carried, but who shall not upon such occasion be carried.

This Act and No. 19 of 1853 to be read as one Act.

7. This Act and the said recited Act, No. 19 of 1853, shall be construed as one Act.