

ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

****

CAP. XXII.

An Act to amend the Laws relating to Hackney Carriages, and to Waggons, Carts, and Drays, used in the Metropolis; and to place the Collection of the Duties on Hackney Carriages and on Hawkers and Pedlars in *England* under the Commissioners of Stamps.

[22d *September* 1831.]

WHEREAS it is expedient to reduce into One Act, and to alter and amend, the Provisions of several Acts now in force, passed in the Parliaments of *Great Britain* and the United Kingdom respectively, relating to Hackney Carriages within the Cities of *London* and *Westminster* and the Suburbs thereof, and also the several Parishes and Places comprised within the Weekly Bills of Mortality; and it is also expedient to place the Collection of the Duty upon or in respect of such Hackney Carriages under the Care and Management of the Commissioners of Stamps: And whereas it is expedient to repeal the Laws relating to the registering and numbering of Waggons, Carts, and Drays used in the Metropolis, and to make other Regulations in lieu thereof: 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,

Certain Acts declared in force until 5th Jan. 1832, and then repealed; viz.

That the several Acts and Parts of Acts herein-after mentioned, or so much and such Part and Parts thereof as are now in force, shall respectively remain and continue in force until and upon the Fifth Day of *January* in the Year One thousand eight hundred and thirty-two, and shall from thenceforth respectively cease, determine, and be repealed; (that is to say,) the several Acts and Parts of Acts passed in the Parliaments of *Great Britain* herein-after specified, namely, so much of the several Acts herein-after next mentioned as in any Manner relates to the licensing or regulating of Hackney Coaches or Chairs, (that is to say,) of an Act passed in the Ninth Year of the Reign of Queen *Anne*, made for the Purpose (among other Things) of licensing and regulating Hackney Coaches and Chairs; and of an Act of the Tenth Year of the said Queen *Anne*, made for the Purpose (among other Things) of licensing an additional Number of Hackney Chairs; and the whole of an Act passed in the Twelfth Year of the Reign of the said Queen *Anne*, intituled *An Act for explaining the Acts for licensing Hackney Chairs;* and so much as in any Manner relates to the licensing or regulating of Hackney Coaches or Chairs of an Act passed in the First Year of the Reign of His Majesty King *George* the First, made for the Purpose (among other Things) of better regulating Hackney Coaches within the Cities of *London* and *Westminster* and the Weekly Bills of Mortality; and of an Act of the Third Year of the Reign of the said King *George* the First, passed for the Purpose (among other Things) of redeeming certain Duties, Revenues, and Annuities, and for establishing a general yearly Fund for the future Payment of Annuities at several Rates, to be payable and transferrable at the Bank of *England*, and redeemable by Parliament; and of an Act of the Twelfth Year of the Reign of the said King *George* the First, passed for the Purpose (among other Things) of adding One hundred additional Hackney Chairs to those already licensed; and of an Act of the Sixteenth Year of the Reign of His Majesty King *George* the Second, passed for the Purpose of continuing several Laws relating (among other Things) to the additional Number of One hundred Hackney Chairs, and to the Powers given for regulating Hackney Coaches and Chairs; and also so much of an Act of the Eighteenth Year of the Reign of the said King *George* the Second, passed for the Purpose of preventing the Misbehaviour of the Drivers of Carts in the Streets of *London*, *Westminster*, and the Limits of the Weekly Bills of Mortality, and for other Purposes; and of an Act of the Thirtieth Year of the Reign of the said King *George* the Second, passed for the Purpose of explaining and amending the said last-mentioned Act, as in any Manner relates to the registering or numbering of Carts, Cars, Drays, and other Carriages driven or used within the Cities of *London* and *Westminster* and the Suburbs thereof, the Borough of *Southwark*, and the Limits of the Weekly Bills of Mortality; and the whole of an Act passed in the Thirty-third Year of the Reign of the said King *George* the Second, intituled *An Act for continuing certain Laws relating to the additional Number of One hundred Hackney Chairs, and to the Powers given for regulating Hackney Coaches and Chairs;* and so much of an Act of the Fourth Year of the Reign of His late Majesty King *George* the Third, passed for the Purpose (among other Things) of extending the Laws relating to Hackney Coaches to the Counties of *Kent* and *Essex*,

Acts of Great Britain:

9 Ann. c. 23. ss. 1 to 22.

10 Ann. c. 19. ss. 158 & 159.

12 Ann. c. 15.

1 G. 1. c. 57. ss. 1 to 5.

3 G. 1. c. 7. s. 1.

12 G. 1. c. 12. ss. 13, 14 & 15.

16 G. 2. c. 26. ss. 3 & 4.

18 G. 2. c. 33.

30 G. 2. c. 22. ss. 1 & 2.

33 G. 2. c. 25.

4 G. 3. c. 36. s. 2.

Essex, as in any Manner relates to such last-mentioned Purpose; and so much of Two several Acts passed respectively in the Seventh and Tenth Years of the Reign of the said King *George* the Third, for the Purpose (among other Things) of explaining and amending several Acts of Parliament relating to Hackney Coaches and Chairs, as in any Manner relates to such last-mentioned Purpose; and the whole of the several Acts next following, (that is to say,) an Act passed in the Eleventh Year of the Reign of the said King *George* the Third, intituled *An Act for licensing an additional Number of Hackney Coaches, and applying the Monies arising thereby;* and another Act passed in the said Eleventh Year of the Reign of the said King *George* the Third, intituled *An Act for punishing Offences committed by Hackney Coachmen and Chairmen within certain Districts and Places therein mentioned, and for renewing the Registry of Carts and Carriages;* and an Act of the Twelfth Year of the Reign of the said King *George* the Third, passed for the Purpose of explaining and amending the said recited Act of the Seventh Year of the same King's Reign, so far as the same relates to Hackney Coaches; and an Act passed in the Twenty-fourth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for laying an additional Duty on Hackney Coaches, and for explaining and amending several Acts of Parliament relating to Hackney Coaches;* and an Act passed in the Twenty-sixth Year of the Reign of His said Majesty King *George* the Third, for explaining and amending the said last-recited Act of the Twenty-fourth Year of the Reign of His said Majesty; and an Act of the Thirty-second Year of the Reign of His said Majesty King *George* the Third, passed for the Purpose of explaining and amending so much of the said recited Act of the Seventh Year of the Reign of His said Majesty as relates to Hackney Coaches and Chairs; and an Act passed in the Thirty-ninth and Fortieth Years of the Reign of His said Majesty King *George* the Third, intituled *An Act for repealing the Rates and Fares taken by licensed Hackney Coachmen, and for establishing other Rates and Fares in lieu thereof, and for explaining and amending several Laws relating to Hackney Coaches and Chairs;* and the whole of the several Acts passed in the Parliaments of the United Kingdom of *Great Britain* and *Ireland*, herein-after specified, (namely,) an Act passed in the Forty-second Year of the Reign of His said Majesty King *George* the Third, intituled *An Act to authorize the licensing an additional Number of Hackney Coaches;* and an Act passed in the Forty-fourth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for explaining and amending the several Acts relating to Hackney Coaches employed as Stage Coaches, and for indemnifying the Owners of Hackney Coaches who have omitted to take out Licences pursuant to an Act made in the Twenty-fifth Year of His present Majesty;* and an Act passed in the Forty-eighth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for repealing the Rates and Taxes taken by licensed Hackney Coachmen, and for establishing others in lieu thereof, and for amending several Laws relating to Hackney Coaches;* and an Act passed in the Fifty-fourth Year of the Reign of His said Majesty King *George* the Third, intituled *An Act for the better Regulation of the Drivers of licensed Hackney Coaches, for explaining and amending an Act passed in*

7 G. 3. c. 44. ss. 9 to 21.
10 G. 3. c. 44. ss. 4 to 9.
11 G. 3. c. 24.
11 G. 3. c. 28.
12 G. 3. c. 49.
24 G. 3. c. 27.
26 G. 3. c. 72.
32 G. 3. c. 47.
39 & 40 G. 3. c. 47.
Acts of the United Kingdom:
42 G. 3. c. 78.
44 G. 3. c. 88.
48 G. 3. c. 87.
54 G. 3. c. 147.

in the Forty-eighth Year of His present Majesty, relating to Hackney Coaches, and for authorizing the licensing of a limited Number of Hackney Chariots; and an Act passed in the Fifty-fifth Year of the
55G.3. c.159. Reign of His said Majesty King *George* the Third, intituled *An Act to amend several Acts relating to Hackney Coaches, for authorizing the licensing of an additional Number of Hackney Chariots, and for licensing Carriages drawn by One Horse;* and an Act passed in the Fifty-seventh Year of the Reign of His said Majesty King *George*
57G.3 c.125. the Third, intituled *An Act to authorize the driving and keeping a Hackney Coach or Chariot under the same Licence;* and the said several recited Acts and Parts of Acts, or so much and such Parts thereof as are now in force, shall respectively remain and continue in force until and upon the said Fifth Day of *January* One thousand eight hundred and thirty-two, and from and immediately after that Day the same shall be and are hereby severally repealed accordingly, save and except so far as the said Acts or any of them repeal the Whole or any Part of any former Act or Acts, and except as to any Duties, Penalties, or Forfeitures incurred and not recovered, and to any Offences or other Matters committed or done before or upon the said Fifth Day of *January* One thousand eight hundred and thirty-two.

Former Licences to cease, and the Plates to be delivered up to the Commissioners of Stamps.

II. And be it enacted, That all Licences to drive, keep, and let to Hire any Hackney Coach, Chariot, or Two-wheeled Carriage, granted or to be granted by the Commissioners appointed by His Majesty's Commission for regulating and licensing such Hackney Coaches, Chariots, and Two-wheeled Carriages, under or by virtue of the said several recited Acts or any of them, shall also cease and determine from and after the said Fifth Day of *January* One thousand eight hundred and thirty-two; and every Person to whom any such Licence shall have been granted shall, either before or within One Calendar Month next after the said Fifth Day of *January* One thousand eight hundred and thirty-two, deliver up to the Commissioners of Stamps, or to their authorized Officer, at the Head Office for Stamps in the City of *Westminster*, the numbered Plate or Plates appertaining to every such Licence, or, in default thereof, every such Person shall forfeit Forty Shillings for every such Plate which he shall neglect or omit so to deliver up within the Time herein-before limited for that Purpose.

Grant of Stamp Duties specified in the Schedule (A.) hereto annexed.

III. And be it enacted, That from and after the Commencement of this Act there shall be raised, levied, and paid unto and for the Use of His Majesty, His Heirs and Successors, for and in respect of every Licence and every Hackney Carriage mentioned and described in the Schedule (A.) to this Act annexed, the several Duties or Sums of Money set down in Figures against the same respectively, or otherwise specified and set forth in the same Schedule; and that the said Schedule shall be deemed and taken to be Part of this Act; and that all the said Duties shall be under the Management of the Commissioners of Stamps, and shall be denominated and deemed to be Stamp Duties.

IV. And

Definition of a Hackney Carriage.

IV. And be it enacted, That every Carriage with Two or more Wheels which shall be used for the Purpose of standing or plying for Hire in any public Street or Road at any Place within the Distance of Five Miles from the General Post Office in the City of *London*, whatever may be the Form or Construction of such Carriage, or the Number of Persons which the same shall be calculated to convey, or the Number of Horses by which the same shall be drawn, shall be deemed and taken to be a Hackney Carriage within the Meaning of this Act; and in all Proceedings at Law or otherwise, and upon all Occasions whatsoever, it shall be sufficient to describe any such Carriage as aforesaid by the Term "Hackney Carriage," without further or otherwise describing the same: Provided always, that nothing in this Act contained shall extend to any Stage Coach used for the Purpose of standing or plying for Passengers to be carried for Hire at separate Fares, and being duly licensed by the Commissioners of Stamps for that Purpose, and having thereon the proper numbered Plates required by Law to be placed on such Stage Coaches.

Horses used in drawing Hackney Carriages not to be subject to the Duties imposed by 4 G. 4. c. 62. on Horses let for Hire.

V. And be it enacted, That the Duties granted by an Act passed in the Fourth Year of the Reign of His late Majesty King *George* the Fourth, intituled *An Act to repeal the Duties on Horses let to Hire for the Purpose of travelling in* Great Britain, *and to grant other Duties in lieu thereof, and to provide for letting the same to farm*, shall not be deemed to attach upon or be payable in respect of any Horse used in drawing any Hackney Carriage which shall be duly licensed under the Provisions of this Act, where the same shall be used to go no greater Distance than Ten Miles from the General Post Office in the City of *London*, provided such Hackney Carriage shall be regularly and constantly used for the Purpose of standing and plying for Hire in the public Streets or Roads within the Distance of Five Miles from the said General Post Office.

Hackney Carriages not to be kept without Licences, nor without Plates.

VI. And be it enacted, That it shall not be lawful for any Person to keep, use, employ, or let to Hire any Hackney Carriage, at any Place within the Distance of Five Miles from the General Post Office in the City of *London*, unless such Person shall have a Licence in force so to do under the Hands of Two of the Commissioners of Stamps, or under the Hand of some Person duly authorized by the said Commissioners to grant such Licence, nor unless there shall be fixed on such Hackney Carriage, in the Manner herein-after mentioned, the numbered Plate herein-after directed to be delivered with every such Licence.

Licences to be granted by the Commissioners of Stamps or their Officers.

VII. And be it enacted, That any Two of the Commissioners of Stamps, or any Person duly authorized by the said Commissioners, shall grant Licences under their or his Hands or Hand, upon the Terms and Conditions and in the Manner herein-after mentioned, to keep, use, employ, and let to Hire any Hackney Carriage at any Place within the Distance of Five Miles from the General Post Office in the City of *London*; and the said Commissioners, or the Person so authorized to grant such Licences as aforesaid, shall at the Time of granting every such Licence, and at all other Times

when necessary, deliver to the Persons applying for such Licences respectively a numbered Plate, to be fixed upon every such Hackney Carriage in the Manner herein-after mentioned, upon which said Plate there shall be painted a Number corresponding with the Number which shall be inserted in such Licence, together with such Device as the said Commissioners shall think fit to cause to be painted on every such Plate; and such Plate shall be known and distinguished from other Plates required by this Act to be fixed upon Hackney Carriages by the Name of the Stamp Office Plate; Provided always, that it shall be lawful for the said Commissioners, if they shall think proper, to refuse to grant any such Licence to any Person whose former Licence shall have been revoked by the said Commissioners under or by virtue of any of the Powers or Authorities contained in this Act, or to any Person who shall be in arrear for any Duties granted by this Act; and provided also, that no such Licence shall be granted to any Person under the Age of Twenty-one Years, nor to any Person who shall have been at any Time convicted of Felony, or of knowingly receiving stolen Property.

Before 5th Jan. 1833, Licences not to exceed 1,200, and Preference to be given to the Holders of former Licences.

VIII. And be it enacted, That until the Fifth Day of *January* One thousand eight hundred and thirty-three the Number of Licences so to be granted by the Commissioners of Stamps or their authorized Officer which shall be in force at one and the same Time shall not at any Time exceed Twelve hundred, and that in the granting of such Licences as aforesaid the said Commissioners shall first give preference to the Applications of such Persons as shall be possessed of Licences granted under any former Act to keep Hackney Coaches, Chariots, or Two-wheeled Carriages, and in force at the Time of or at any Time within One Calendar Month next preceding the Commencement of this Act, and who, at any Time within One Calendar Month next preceding or before the Expiration of One Calendar Month next following the said Commencement, shall apply for Licences under this Act; and the said Commissioners or their authorized Officer shall grant to such Persons respectively the same Number of Licences under this Act which such Persons shall respectively hold and have in force as aforesaid under any former Act, or any less Number which such Persons respectively may think proper to apply for; and in case the Number of such Licences which shall be so granted to such Persons as aforesaid, and which shall be in force at one and the same Time, shall, at any Time after the Expiration of One Calendar Month next after the Commencement of this Act, and before the Fifth Day of *January* One thousand eight hundred and thirty-three, be or become less than Twelve hundred, then it shall be lawful for the said Commissioners or their authorized Officer to grant such Licences to the Extent of Twelve hundred in the whole to such Persons as the said Commissioners shall think fit.

After 5th Jan. 1833, Licences to be granted without Limitation of Number.

IX. And be it enacted, That from and after the Fifth Day of *January* One thousand eight hundred and thirty-three the said Commissioners or their authorized Officer shall grant to any Person or Persons who shall apply for the same any such Licence or Licences as aforesaid under the Authority of this Act, without regard to the

Number of such Licences which at the Time of such Application may have been granted or may be then in force.

Persons possessed of Licences at the Commencement of this Act to be entitled to new Licences, without Payment of the Duty of 5*l*.

X. Provided always, and be it enacted, That every Person who shall be possessed of any Licence or Licences to keep any Hackney Coach, Chariot, or Two-wheeled Carriage, granted to him under any former Act, and in force at the Time of or at any Time within One Calendar Month next preceding the Commencement of this Act, shall be entitled to have the same or any less Number of new Licences granted to him under the Authority of this Act, without the Payment of the Duty of Five Pounds by this Act imposed on every such Licence; provided he shall produce and deliver up to the Commissioners of Stamps the said Licence or Licences of which he shall be so possessed, together with the numbered Plate or Plates appertaining thereto, and shall apply for such new Licence or Licences within One Calendar Month next preceding or before the Expiration of One Calendar Month next following the Commencement of this Act.

Persons applying for Licences to sign a Requisition for the same.

XI. And be it enacted, That before any such Licence as aforesaid shall be granted under the Provisions of this Act, a Requisition for the same, in such Form as the Commissioners of Stamps shall 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 shall be applied for; and in every such Requisition there shall be truly specified and set forth the Christian Name and Surname and Place of Abode of the Person applying for such Licence, and of every Person who shall be a Proprietor or Part Proprietor of such Hackney Carriage, or who shall be concerned either solely or in Partnership with any other Person in the keeping, using, employing, or letting to Hire of such Hackney Carriage; and in case any Person on applying for any such Licence shall neglect or omit to specify truly in such Requisition as aforesaid the Name of any Person who shall be a Proprietor or Part Proprietor of such Hackney Carriage, or who shall be concerned as aforesaid in the keeping, using, employing, or letting to Hire of such Hackney Carriage, every Person so offending shall forfeit Ten Pounds.

What shall be specified in the Licences.

XII. And be it enacted, That there shall be specified in every such Licence to be granted as aforesaid the true Christian Name and Surname and Place of Abode of the Person and of every Person who shall be a Proprietor or Part Proprietor of the Hackney Carriage in respect of which such Licence shall be granted, or who shall be concerned either solely or in Partnership with any other Person in the keeping, using, employing, or letting to Hire of such Hackney Carriage, the Number which shall be painted or marked on the Plates to be fixed on such Hackney Carriage, together with such Clauses and Conditions for more effectually securing the Payment of the weekly Duty by this Act made payable in respect of every such Licence as the Commissioners of Stamps in their Discretion shall think fit; and every such Licence shall bear Date on the Day on which the same shall be granted.

XIII. And

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

XIII. And be it enacted, That as often as any Person named as the Proprietor or One of the Proprietors in any Licence to keep, use, employ, and let to Hire any Hackney Carriage under the Provisions of this Act, shall change his Place of Abode, he shall within Seven Days next after such Change give Notice thereof in Writing, signed by him, to the Commissioners of Stamps, specifying in such Notice his new Place of Abode; and such Proprietor shall at the same Time produce such Licence to the proper Officer at the Head Office for Stamps in *Westminster*, who shall indorse thereon and sign a Memorandum specifying the Particulars of such Change; and if any Person named as the Proprietor or One of the Proprietors of any Hackney Carriage in any such Licence as aforesaid shall change his Place of Abode, and shall neglect or omit to give Notice of such Change, or to produce such Licence in order that such Memorandum as aforesaid may be indorsed thereon, within the Time and in the Manner limited and directed by this Act, he shall forfeit Forty Shillings.

Penalty 40s.

Names and Places of Abode of the Proprietors of Hackney Carriages, and the Numbers of the Plates, to be registered at the Guildhall in London.

XIV. And be it enacted, That the Proprietor of every Hackney Carriage licensed under the Provisions of this Act shall, within Seven Days next after any such Licence shall be granted to him, leave at the Office of the Commissioners of Sewers of the said City of *London* and Liberties thereof for the Time being, at the Guildhall in the City of *London*, with the Principal Clerk or the Assistant Clerk to the said Commissioners, a true Account in Writing of his Christian Name and Surname and Place of Abode, and of the Number of the Plate granted with any such Licence, and every such Proprietor shall in like Manner deliver at the said Office a similar Account from Time to Time as often as and within Seven Days next after his Place of Abode or the Number of the Plate granted to him as aforesaid shall be changed, upon pain that every such Proprietor who shall refuse or neglect to deliver such Account as aforesaid, within the Time and in the Manner directed by this Act, shall forfeit Forty Shillings.

Penalty 40s.

Duties in what Manner to be paid.

XV. And be it enacted, That the weekly Sum of Ten Shillings by this Act reserved and made payable in respect of every such Licence as aforesaid shall be due and payable in advance, in manner following; that is to say, the Person to whom any such Licence shall be granted shall, at the Time of the granting thereof, pay in advance to the Receiver General of Stamp Duties, at the Head Office for Stamps in the City of *Westminster*, the said weekly Duty, computed from the Day of the Date of such Licence, if the same shall bear Date on a *Monday*, and if the same shall bear Date on any other Day of the Week, then from the *Monday* next preceding the Day of the Date thereof, up to the first *Monday* of the next succeeding Calendar Month; and on the first *Monday* of every Calendar Month the Person to whom such Licence shall be granted shall pay in advance the said weekly Duty up to the first *Monday* in the next succeeding Calendar Month, and so on from Time to Time during the Continuance of every such Licence; and the said weekly Duty shall accordingly be paid in advance, from Time to Time, in manner aforesaid, to the said Receiver General, or in default

default thereof it shall be lawful for the Commissioners of Stamps to revoke and make void any such Licence, and to call in the numbered Plate relating thereto.

Mode of discontinuing Licences.

XVI. And be it enacted, That when any Person to whom any such Licence shall have been granted shall determine to give up such Licence, and to discontinue the Use of the Hackney Carriage in respect of which the same may have been granted, such Person shall give Notice in Writing of such his Determination to the Commissioners of Stamps, or to the Officer authorized to grant such Licences; and when the Time for giving up such Licence according to such Notice shall have expired, and the Plate mentioned in such Licence shall have been redelivered to the said Commissioners or to such Officer as aforesaid, such Licence shall cease and determine, and shall be no longer in force, and the Person so previously licensed shall not be charged or chargeable with the said weekly Duty in respect of such Licence for any Period subsequent to the Expiration of such Notice and the Redelivery of such Plate; Provided always, that no such Licence as aforesaid shall by any such Notice be made to cease or expire on any other Day than on the first *Monday* in some Calendar Month subsequent to the Delivery of such Notice, up to which Period the said weekly Duty shall be payable; any thing herein-before or in any such Notice contained to the contrary notwithstanding.

Plates to be delivered up on the Discontinuance or Revocation of such Licences.

XVII. And be it enacted, That whenever any Person shall give Notice to the Commissioners of Stamps, or their authorized Officer, of his Intention to give up any Licence granted under this Act for or in respect of any Hackney Carriage, and also whenever any such Licence as aforesaid granted to any Person shall be revoked by the said Commissioners, such Person to whom any such Licence as aforesaid shall have been granted shall deliver up the numbered Plate mentioned in such Licence, or in any Indorsement thereupon, to the said Commissioners or to their authorized Officer; and every such Person who shall neglect or refuse so to deliver up such Plate within Three Days after the Expiration of Notice of his Intention to give up such Licence, or of the Revocation thereof, as the Case may be, shall forfeit Ten Pounds, and shall also continue to be subject and liable to the Payment of the said weekly Duty by this Act charged in respect of every such Licence.

Penalty 10*l.*

Carriages, Horses, Harness, &c. liable to Duties and Penalties.

XVIII. And be it enacted, That all Carriages, Horses, and Harness, and other Articles and Things, kept, used, or employed for the Purpose of being let for Hire by any Person to whom any such Licence as aforesaid shall be granted under the Provisions of this Act, shall be subject and liable to and chargeable with all the Duties which shall from Time to Time become due and payable from or by such Person for or in respect of any such Licence as aforesaid granted to him, and to and with all Penalties which may be imposed upon or incurred by such Person under this Act, and also to and with the Costs and Expences of all Proceedings which shall or may be had or taken for the Recovery of any such Duties and Penalties respectively; and all such Carriages, Horses, Harness, and other

Articles and Things may be distrained or otherwise seized or taken to satisfy such Duties, Penalties, Costs, and Expences, or any Part thereof respectively, in or into whose Custody or Possession soever such Carriages, Horses, Harness, and other Articles shall or may be or come, and by or under what Right or Title soever the same shall or may be held or claimed; and in case any Person in or into whose Custody or Possession any such Carriages, Horses, Harness, or other Articles shall be or come by or under any Means or Title whatsoever, shall convert the same to his own Use, or shall sell or dispose thereof for the Use or Benefit of any other Person, after Notice given by the Commissioners of Stamps, or their Solicitor, or by any other Officer of Stamp Duties, that such Carriages, Horses, Harness, or other Articles are subject and liable to or chargeable with any of the Duties, Penalties, Costs, and Expences aforesaid, every Person so converting or selling or disposing of such Carriages, Horses, Harness, or other Articles shall be accountable to His Majesty to the Extent of the Value of such Carriages, Horses, Harness, or other Articles, for the Duties, Penalties, Costs, and Expences to or with which such Carriages, Horses, Harness, or other Articles shall be subject, liable, or chargeable, and the same may be sued for and recovered under and by virtue of this Act as a Debt due to His Majesty accordingly.

Duties recoverable by Distress.

XIX. And be it enacted, That if any Person to whom any such Licence as aforesaid shall be granted shall make Default in Payment of the said weekly Duty which shall become due or payable in respect of such Licence, at the Time and in the Manner by this Act appointed for Payment thereof, it shall be lawful for any Two of the Commissioners of Stamps to grant a Warrant to any Constable or Police Officer, or to any Officer of Stamp Duties, directing him to distrain every such Person so making Default as aforesaid, by his Goods and Chattels, and also to seize and take the Carriages, Horses, Harness, and other Articles and Things by this Act made subject and liable to such Duty, for the Amount of the Duty so due or payable as aforesaid, and of all the Costs, Charges, and Expences incident or relating to the taking and keeping of such Distress; and it shall be lawful for such Constable or for any such Officer as aforesaid to make such Distress and Seizure accordingly; and the Distress so taken to detain and keep for the Space of Five Days, at the Costs and Charges of the Person distrained; and if the Amount of such Duty, and of all the Costs, Charges, and Expences aforesaid, shall not be paid within such Space of Five Days, then such Constable or other Officer shall cause the Goods and Chattels, Carriages, Horses, Harness, and other Things so seized or taken, to be sold in the Manner directed by this Act, and shall render the Overplus, if any, of the Money arising by the Sale thereof, after deducting and retaining the Amount of such Duty, and all the Costs, Charges, and Expences aforesaid, as well as the Charges and Expences of the Sale, to the Person so distrained, or to the Ower of the Carriages, Horses, Harness, or other Things so seized and taken as aforesaid; and for the Purpose of taking such Distress it shall be lawful for such Constable or Police Officer, or for such Officer of Stamp Duties in the Presence of any Constable or Police Officer, where any Refusal or

Resistance shall be made, to break open, in the Day-time, any House or Place where any such Carriages, Horses, Harness, or other Articles or Things, or any Goods or Chattels, to be seized or taken under such Warrant as aforesaid, shall be.

Numbered Plates to be placed upon Hackney Carriages.

XX. And be it enacted, That upon every Hackney Carriage which shall be used for the Purpose of standing or plying for Hire, or which shall be let for Hire, within the Distance of Five Miles from the General Post Office in the City of *London*, the Stamp Office Plate shall be fixed in a conspicuous Place on the Outside of the Back of such Hackney Carriage; and there shall also be fixed upon every such Hackney Carriage, in the Manner herein-after directed, Three other numbered Plates, of the Description herein-after mentioned, to be provided for this Purpose by the Proprietor of such Hackney Carriage; that is to say, a Plate, having thereon the Number of the Stamp Office Plate placed upon such Hackney Carriage, denoted by projecting Figures of One Inch and a Half at least in Length, and of a proportionate Breadth, and without any other Figure or any Letter or other Device thereon, shall be fixed in a conspicuous Place on the Inside of the Back of such Hackney Carriage; and Two other Plates, upon which there shall be painted, in Letters and Figures of Black upon a White Ground, the Christian Name and Surname of the Proprietor or of One of the Proprietors of such Hackney Carriage, and the Number of the said Stamp Office Plate, shall respectively be fixed in some conspicuous Place on each Side of such Hackney Carriage; and if it shall happen that the Commissioners of Stamps or their authorized Officer shall be dissatisfied with the Position of any Plate fixed or placed upon any such Hackney Carriage, and shall direct such Plate to be placed upon some other conspicuous Part of any such Hackney Carriage, such Plate shall be placed and fixed accordingly upon any Part of such Hackney Carriage in compliance with such Direction; and every such Plate shall be placed and fixed upon every such Hackney Carriage in such Manner that the Number thereon shall be at all Times plainly and distinctly visible and legible; and if any Proprietor or Driver of any Hackney Carriage shall permit or suffer any such Plate, or the Number on any such Plate, placed or fixed upon such Hackney Carriage, to be in any Manner or by any Means concealed from public View, or to be inverted, or if such Proprietor or Driver, or any Waterman or Assistant to the Drivers of Hackney Carriages, shall molest or oppose or by any Means endeavour to prevent any Person in or from inspecting any such Plate fixed or placed upon any such Hackney Carriage, or in or from taking or noting the Number thereof, or if any such Proprietor, Driver, or Waterman or Assistant shall by Word of Mouth give or declare to any Person a wrong Number as or for the Number of such Plate or of such Hackney Carriage, such Proprietor, Driver, or Waterman or Assistant shall forfeit Five Pounds.

Penalty for concealing Plates, or preventing Persons inspecting and taking the Number thereof.

Commissioners may change Plates.

XXI. And be it enacted, That whenever, in the Opinion of the Commissioners of Stamps or their authorized Officer, it shall be expedient to recall any Plate for the Purpose of changing the same for any other Plate bearing the same or a different Number, the said Commissioners

Commissioners or such Officer shall give Notice to the Person or to any One of the Persons to whom the Licence relating to such Plate shall have been granted, that the said Commissioners or such Officer do or doth by such Notice recall such Plate; and the Person to whom such Licence shall have been granted shall within One Week after such Notice deliver up such Plate, and produce the Licence relating to the same, to the said Commissioners or to their authorized Officer, and also apply to the said Commissioners or such Officer for a new Plate; and thereupon the said Commissioners or such Officer shall deliver to the Person so applying for the same a new Plate in lieu of the Plate so as aforesaid recalled; and if such new Plate shall bear a Number different from the Number mentioned in such Licence, the said Commissioners or such Officer shall indorse upon such Licence a Memorandum of the Surrender of the Plate therein mentioned, and of the granting of such new Plate in lieu thereof; and from thenceforth such Licence shall be deemed to relate to such new Plate in the same Manner as if the Number thereof had been originally inserted in the Body of such Licence: Provided always, that if it shall appear to the said Commissioners or to their authorized Officer that the Number upon any such Plate so delivered up as aforesaid hath been wilfully obliterated, or hath been rendered illegible by any other Means than by the regular and proper Use and Wear thereof, it shall be lawful for the said Commissioners or such Officer to refuse to deliver any Plate in lieu of the Plate so surrendered and delivered up as aforesaid, unless the Person applying for the same shall also surrender and deliver up the Licence relating to such surrendered Plate, and shall take out and pay for a new Licence with and relating to the Plate to be delivered in lieu thereof.

Where a Plate has been wilfully obliterated, a new Licence shall be taken out.

Penalty for using, &c. a Hackney Carriage without Licence, or without Plates, or for not delivering up recalled Plates, 10*l*.

XXII. And be it enacted, That if any Person shall keep, use, employ, or let to Hire any Hackney Carriage at any Place within the Distance of Five Miles from the General Post Office in the City of *London*, without having a Licence in force so to do, or without having the proper numbered Plates properly placed and fixed upon such Hackney Carriage in the Manner required by this Act; or if any Person to whom any Licence shall have been granted under this Act to keep, use, employ, or let to Hire a Hackney Carriage, shall not, within One Week after Notice given to him, in the Manner directed by this Act, that the Stamp Office Plate to which such Licence shall relate hath been recalled, deliver up the Plate mentioned in such Notice, according to the Terms thereof, and produce the Licence relating to such Plate, and apply for a new Plate, and fix such new Plate upon his Hackney Carriage in the Manner directed by this Act, every such Person so offending in any of the several Cases aforesaid shall forfeit Ten Pounds.

Penalty on the Driver of a Carriage plying for Hire without Plates, 5*l*.

XXIII. And be it enacted, That if any Carriage shall be used for the Purpose of standing or plying for Hire as a Hackney Carriage in any public Street or Road at any Place within the Distance of Five Miles from the General Post Office in the City of *London*, such Carriage not having the proper Stamp Office Plate fixed thereon as required by this Act, the Driver of such Carriage, or the Person plying

plying for Hire therewith, or having the Care thereof, not being the Owner or Proprietor thereof, shall forfeit Five Pounds, and if he shall be the Owner or Proprietor of such Carriage he shall forfeit Ten Pounds; and it shall be lawful for any Constable or Police Officer, or for any Officer of Stamp Duties, without any Warrant for that Purpose, to apprehend such Driver or other Person plying for Hire with or having the Care of such Carriage, and to convey him before any Justice of the Peace, to be dealt with as herein-after mentioned; and it shall also be lawful for such Constable or Police Officer, or Officer of Stamp Duties, to drive or take the Carriage not having such Plate, with the Horse or Horses harnessed thereto or drawing the same, or to cause the same to be driven or taken, to some public Green Yard, or to some Livery Stables or other Place of Safety, and there to lodge the same for safe Custody until the Determination of such Justice shall be known; and the Justice before whom such Driver or other Person shall be brought shall hear and determine such Offence; and in case the Person convicted of any such Offence shall be the Owner or Proprietor of such Carriage or of the said Horse or Horses, and if the Penalty in which he shall be convicted, together with the Costs and Expences, and the Expences of taking such Carriage and Horses to and keeping the same at such Green Yard, Stables, or other Place, shall not be fully paid or discharged within Five Days after such Conviction, such Carriage and Horses, together with the Harness used therewith, shall be sold by the Order under the Hand of such Justice, and the Surplus, if any, of the Produce of such Sale, after deducting therefrom the said Penalty, Costs, and Expences, and also the Expences of such Sale, shall be rendered to such Owner or Proprietor; but in case the Person so convicted shall not be the Owner or Proprietor of such Carriage or Horses, then in default of Payment of the Penalty in which he shall be convicted, together with the Costs and Expences aforesaid, such Justice shall commit the Offender to the Common Goal or House of Correction, there to be kept for the Space of Three Calendar Months; and such Justice shall give an Order for the delivering up of the Carriage, Horses, and Harness to the Owner thereof, on his paying the Expences of taking and keeping the same; and in case of his Refusal to pay such Expences, then such Carriage, Horses, and Harness, or a sufficient Part thereof to defray such Expences, shall be sold by Order under the Hand of such Justice; and after Payment thereout of all such Expences as aforesaid, together with the Expences of such Sale, the Surplus, if any, of the Produce of such Sale, together with such Part of the Carriage, Horses, and Harness as shall remain unsold, shall be rendered and restored to the Owner.

If the Owner, 10*l.*

XXIV. And be it enacted, That in any Complaint or other Proceeding for the Recovery of any Penalty incurred under this Act in respect of or with relation to any Hackney Carriage, if Evidence shall be given that the Carriage in respect of which or in any Manner relating to which any such Proceeding shall be commenced or prosecuted was seen in or upon any public Street or Road having thereon any numbered Plate by this Act directed to be fixed upon a Hackney Carriage, or having thereon any Plate resembling or intended to resemble any such Plate as aforesaid, such Carriage shall be deemed

Carriages having thereon Plates provided under this Act to be deemed Hackney Carriages.

and taken to be a Hackney Carriage, and such Evidence as aforesaid shall be received as sufficient Proof that such Carriage was kept, used, and employed, and let to Hire as a Hackney Carriage within the Meaning of this Act; and that in all such Proceedings as aforesaid, the Person named or described in the Licence granted with or relating to the Number of the Stamp Office Plate, if any, fixed or placed upon any such Carriage, whether such Licence shall be in force or not, shall for the Purposes of this Act be deemed to be the Proprietor of such Carriage, unless the contrary be proved.

Forgery, &c. of the Stamp Office Plate, a Misdemeanor.

XXV. And be it enacted, That if any Person shall forge or counterfeit, or shall cause or procure to be forged, counterfeited, or resembled, the Stamp Office Plate by this Act directed to be provided for the Purpose of being fixed upon every Hackney Carriage, or if any Person shall wilfully fix or place, or shall cause or permit or suffer to be fixed or placed, upon any Hackney Carriage, or other Carriage, any such forged or counterfeited Plate as aforesaid, or if any Person shall sell or expose to Sale or utter any such forged or counterfeited Plate, or if any Person shall knowingly and without lawful Excuse (the Proof whereof shall lie on the Person accused) have or be possessed of any such forged or counterfeited Plate, knowing such Plate to be forged or counterfeited, every Person so offending, and every Person knowingly and wilfully aiding, abetting, or assisting any Person in committing any such Offence as aforesaid, shall be adjudged guilty of a Misdemeanor, and, being thereof convicted, shall be liable to be punished by Fine or Imprisonment, or by both, such Imprisonment to be in the Common Gaol or House of Correction, and either with or without hard Labour, as the Court shall think fit; and it shall be lawful for any Officer of Stamp Duties, or for any Constable or Police Officer, to seize and take away any such Plate, in order that the same may be produced in Evidence against such Offender, or be disposed of as the Commissioners of Stamps shall think proper.

Proprietors of Hackney Carriages to be summoned to appear and produce the Drivers.

Penalty 40s.

XXVI. And be it enacted, That when any Information or Complaint shall be made before any Justice of the Peace against the Driver of any Hackney Carriage for any Offence committed by him against any of the Provisions of this Act, such Justice shall forthwith summon the Proprietor of such Hackney Carriage personally to appear, and to produce the Driver of such Hackney Carriage, to answer such Information or Complaint; and if any such Proprietor, being duly summoned, shall neglect or refuse personally to appear, or to produce such Driver according to such Summons, without a reasonable Excuse to be allowed by the Justice before whom he ought to appear according to such Summons, such Proprietor shall forfeit Forty Shillings, and so from Time to Time as often as he shall be so summoned, until such Driver shall be produced by him: Provided always, that if such Proprietor shall neglect or refuse to appear and produce such Driver on the second or any subsequent Summons requiring him so to do, without a reasonable Excuse to be allowed as aforesaid, it shall be lawful for such Justice to proceed to hear and determine the said Information or Complaint in the Absence of the said Proprietor and Driver, or of either of them, and upon Proof of such Offence by the Oath of One or more credible Witness or Witnesses to give Judgment

On Neglect on Second Summons Justices may proceed.

against such Proprietor for the Penalty incurred by reason of such Offence.

Penalties if not paid by Drivers to be levied on Proprietors;

XXVII. And be it enacted, That all pecuniary Penalties and Costs incurred by reason of any Offence committed by the Driver of any Hackney Carriage against the Provisions of this Act shall, unless such Driver shall pay the same, be levied by Distress and Sale of the Goods of the Proprietor of such Hackney Carriage, and for Want of sufficient Distress such Proprietor shall be committed to the Common Gaol or House of Correction, there to remain for any Time not exceeding Two Calendar Months, unless such Penalties and Costs shall be sooner paid.

who shall be entitled to recover from the Drivers.

XXVIII. Provided always, and be it enacted, That every such Proprietor who shall pay any Penalty or Costs incurred by reason of any such Offence as aforesaid committed by such Driver shall be entitled to recover the same from such Driver in a summary Manner; and upon Complaint made in the Premises before any Justice of the Peace by the said Proprietor against the said Driver, such Justice shall inquire into the same, and shall cause the Sum which shall appear to have been so paid as aforesaid by the said Proprietor to be levied by Distress and Sale of the Goods of the said Driver; and for Want of sufficient Distress, such Justice shall commit the said Driver to the Common Gaol or House of Correction, there to remain for any Time not exceeding Two Calendar Months, unless the said Sum shall be sooner paid; and every such Imprisonment shall be with or without hard Labour, as such Justice shall direct: Provided always, that if the said Driver shall have been previously convicted of the Offence for which the said Penalty or Costs shall be so as aforesaid paid by the said Proprietor, then such Proceedings shall be had and taken against the said Driver upon such Conviction for Recovery of the Penalty and Costs in which he shall have been convicted as might have been had and taken thereon in case the said Penalty or Costs had not been paid by the said Proprietor, and upon Recovery thereof the Sum so paid by such Proprietor shall be repaid to him.

Justices to determine Disputes between Proprietors and their Drivers.

XXIX. And be it enacted, That in case of any Dispute between the Proprietor of any Hackney Carriage and the Driver thereof, then upon Complaint made before any Justice of the Peace by such Proprietor against such Driver, or by such Driver against such Proprietor, such Justice shall inquire into and determine the same, and shall award and order such Compensation to be made to either Party as to such Justice shall seem proper; and in case of the Non-payment of such Compensation, such Justice shall cause the same to be levied by Distress and Sale of the Goods of the Party refusing or neglecting to make Payment thereof; and for Want of sufficient Distress such Justice shall commit the said Party to the Common Gaol or House of Correction, there to remain for any Time not exceeding Two Calendar Months, unless the same shall be sooner paid.

Watermen to be licensed.

XXX. And be it enacted, That it shall be lawful for any Two of the Commissioners of Stamps to grant Licences under their Hands

to

to such Persons as they shall think fit and proper to act as Watermen or Assistants to the Drivers of Hackney Carriages at the Standings or Places of Resort where Hackney Carriages usually stand or ply for Hire, which said Licences shall be granted in such Form as the said Commissioners shall think fit; and every such Licence shall be dated on the Day on which the same shall be granted, and shall specify the true Christian Name and Surname and Place of Abode of the Person to whom the same shall be granted, and shall specify the Standing or Place of Resort at which he shall be thereby authorized to act as such Waterman or Assistant as aforesaid; and as often as such Waterman or Assistant as aforesaid shall change his Place of Abode, Notice in Writing of such Change, signed by such Waterman or Assistant, shall forthwith be given to the proper Officer at the Head Office for Stamps in *Westminster*, and the Licence of such Waterman or Assistant shall at the same Time be produced to such Officer, who shall indorse thereon and sign a Memorandum of such Notice, or in default thereof such Licence shall be void; and if any Person shall act as such Waterman or Assistant as aforesaid at any such Standing or Place of Resort as aforesaid without first having duly obtained and having in force a Licence from the Commissioners of Stamps authorizing him in that Behalf, he shall forfeit Forty Shillings.

Penalty on acting as a Waterman without a Licence, 40*s*.

Badges to be worn by Watermen.

XXXI. And be it enacted, That the Commissioners of Stamps, at the Time of granting to any Person a Licence to act as a Waterman or Assistant to Drivers of Hackney Carriages, shall deliver to such Waterman a Badge to denote his Office and Employment, having thereon a Number by which such Waterman may be identified, and which Badge shall be worn by such Waterman, during all the Time of his Employment, conspicuously upon his Breast, in such Manner that the Number thereon shall be at all Times plainly and distinctly visible and legible; and if any Person shall act as such Waterman without having and wearing such Badge in manner aforesaid, or if any such Waterman shall refuse to permit any Person to inspect and note the Number on such Badge, or if any such Waterman shall lend such Badge to or permit the same to be worn by any other Person, such Waterman shall forfeit Forty Shillings, and on Conviction of any such Offence it shall be lawful for the Commissioners of Stamps, if they think fit, to revoke the Licence of such Waterman.

Penalty 40*s*.

Particulars of Licences to be entered in Books at the Stamp Office, and such Entries to be Evidence.

XXXII. And be it enacted, That the Particulars of every Licence which shall be granted under any of the Provisions of this Act, and of all Alterations made therein, and of all Indorsements thereupon, shall be entered, in such Manner and Form as the Commissioners of Stamps shall direct, in One or more Book or Books to be provided and kept for that Purpose at the said Head Office for Stamps; and in all Courts, and before any Justice of the Peace, and upon all Occasions whatsoever, the Entries made or contained in any such Book or Books shall be received as Evidence, and be deemed to be sufficient Proof of all Matters and Things therein registered or contained relating to any such Licence as aforesaid, without requiring the Production of the original Licence, or of any Requisition, Notice, or other Document upon which any such Entries may

may be founded, and without any further Proof than the Production of such Book or Books; and any Person shall be at liberty to inspect any such Book or Books without Payment of any Fee or Reward.

Procuring any Licence in a fictitious Name, a Misdemeanor.

XXXIII. And be it enacted, That if any Person applying for or procuring or attempting to procure any Licence under any of the Provisions of this Act shall use or employ any false or fictitious Name or Place of Abode, or other false or fictitious Description of any Person or supposed Person, or shall wilfully or knowingly insert or cause to be inserted in any Requisition for any such Licence, or in any such Licence, any false or fictitious Name or Place of Abode, or other false or fictitious Description of any Person or supposed Person, or shall wilfully or knowingly insert or cause to be inserted in any such Requisition or in any such Licence as aforesaid the Name of any Person as being a Proprietor or Part Proprietor of any Hackney Carriage who shall not at the Time of the Application for such Licence be in fact a Proprietor or Part Proprietor of such Hackney Carriage, the Person so offending shall be guilty of a Misdemeanor, and, being convicted thereof, he shall be liable to be punished by Fine or Imprisonment, or by both, as the Court shall award, such Imprisonment to be in the Common Gaol or House of Correction, and either with or without hard Labour, as the Court shall think fit.

What Distance Drivers of Hackney Carriages shall be compellable to drive.

XXXIV. And be it enacted, That the Driver of every Hackney Carriage which shall be let for Hire at any Place within the Distance of Five Miles from the General Post Office in the City of *London* shall be obliged and compellable, if required by any Person hiring such Hackney Carriage, (unless such Driver shall have a reasonable Excuse to be allowed by the Justice before whom any such Matter shall be brought in question,) to drive such Hackney Carriage to any Place to which he shall be so required to drive the same within the Distance of Five Miles from the said General Post Office, or to any Place to which he shall be so required to drive the same within the Distance of Five Miles from the Place where the same shall have been let to Hire; and in case such Driver shall refuse to drive such Hackney Carriage to any such Place as aforesaid, he shall forfeit Forty Shillings.

Penalty 40*s*.

Hackney Carriages standing in any Street to be deemed to be plying for Hire, and the Driver thereof refusing to go with any Person liable to a Penalty of 40*s*.

XXXV. And be it enacted, That every Hackney Carriage which shall be found standing in any Street or Place, and having thereon any of the numbered Plates required by this Act to be fixed on Hackney Carriages, shall, unless actually hired, be deemed to be plying for Hire, although such Hackney Carriage shall not be on any Standing or Place usually appropriated for the Purpose of Hackney Carriages standing or plying for Hire; and the Driver of every such Hackney Carriage which shall not be actually hired shall be obliged and compellable to go with any Person desirous of hiring such Hackney Carriage; and upon the hearing of any Complaint against the Driver of any such Hackney Carriage for any such Refusal, such Driver shall be obliged to adduce Evidence of having been and of being actually hired at the Time of such Refusal, and in case such Driver shall fail to produce sufficient Evidence of having been

been and of being so hired as aforesaid, he shall forfeit Forty Shillings.

Compensation to be made to Drivers improperly summoned for refusing to carry any Person.

XXXVI. Provided always, and be it enacted, That if the Driver of any Hackney Carriage shall in civil and explicit Terms declare to any Person desirous to hire such Hackney Carriage that it is actually hired, and shall afterwards, notwithstanding such Reply, be summoned to answer for his Refusal to carry such Person in his said Hackney Carriage, and shall upon the hearing of the Complaint produce sufficient Evidence to prove that such Hackney Carriage was at the Time actually and *bonâ fide* hired, and it shall not appear that he used uncivil Language, or that he improperly conducted himself towards the Party by whom he shall be so summoned, the Justice before whom such Complaint shall be heard shall order the Person who shall have summoned such Driver to make to him such Compensation for his Loss of Time in attending to make his Defence to such Complaint as such Justice shall deem reasonable, and in default of Payment thereof to commit such Person to Prison for any Time not exceeding One Calendar Month, unless the same shall be sooner paid.

Drivers may ply and shall be compellable to drive on Sundays.

XXXVII. And be it enacted, That it shall be lawful for the Proprietor or Driver of any Hackney Carriage which shall be licensed under the Authority of this Act to stand and ply for Hire with such Carriage and to drive the same on the Lord's Day, any former Act or Acts to the contrary notwithstanding; and that such Proprietor or Driver who shall so stand or ply for Hire as aforesaid shall be liable and compellable to do the like Work on the Lord's Day as such Proprietor or Driver is by this Act liable or compellable to do on any other Day of the Week.

Rates and Fares to be taken for Hackney Carriages.

XXXVIII. And be it enacted, That the Proprietor or Driver of any Hackney Carriage licensed under the Provisions of this Act shall be entitled to demand and take for the Hire of such Hackney Carriage the Rates and Fares mentioned and set forth in Figures or otherwise described in either of the Two Schedules or Tables marked respectively (B.) and (C.) to this Act annexed, calculated for Time or Distance, at the Option of such Proprietor or Driver; and that the Rates and Fares of all such Hackney Carriages shall be calculated by the Hour or Mile only, and not by the Day.

Back Fare payable by Night.

XXXIX. And be it enacted, That in case any Hackney Carriage, after having been hired at any Place, whether within or beyond the Limits of the Metropolis as defined by this Act, shall be discharged at any Place beyond the said Limits after the Hour of Eight in the Evening and before Five in the Morning, it shall be lawful for the Proprietor or Driver of such Hackney Carriage to demand and receive, over and above the proper Fare in respect of the Distance or Time for which the same shall have been hired or used, the full Rate or Fare from the Place of such Discharge to the nearest Point of the said Limits, or to any Standing of Hackney Carriages where such Hackney Carriage shall have been hired beyond such Limits, at the Option of the Person discharging the same; and in case any Hackney

By Day.

Carriage shall be hired and driven into the Country, and there discharged at a Distance of Four Miles or more beyond the said Limits of the Metropolis, in the Day-time, and not after the Hour of Eight in the Evening nor before Five in the Morning, it shall be lawful for the Driver of such Hackney Carriage to demand and receive for the Return thereof from the Place of such Discharge to the nearest Point of the said Limits, or to any Standing for Hackney Carriages beyond any such Limits where such Hackney Carriage shall have been hired, at the Option of the Person discharging such Hackney Carriage, for each and every Mile the additional Rate or Fare of Sixpence: Provided always, that no such additional Rate or Fare in the Day-time shall be payable for any less Distance than Four Miles.

Limits of the Metropolis defined.

XL. And whereas Letters arriving in *London* by the General Post are now delivered without additional Postage at any Place comprised within a Circle, the Radius of which is of the Length of Three Miles measured from the General Post Office; be it enacted, That the Circumference of the said Circle shall for the Purposes of this Act be deemed and called the Limits of the Metropolis.

Persons refusing to pay the Driver his Fare, or for any Damage, may be committed to Prison.

XLI. And be it enacted, That if any Person shall refuse or omit to pay the Driver of any Hackney Carriage the Sum justly due to him for the Hire of such Hackney Carriage, or if any Person shall deface or in any Manner injure any such Hackney Carriage, it shall be lawful for any Justice of the Peace, upon Complaint thereof made to him, to grant a Summons, or if it shall appear to him necessary a Warrant, for bringing before him or any other Justice such Defaulter or Defender, and, upon Proof of the Facts made upon Oath before any such Justice, to award reasonable Satisfaction to the Party so complaining for his Fare or for his Damages and Costs, and also a reasonable Compensation for his Loss of Time in attending to make and establish such Complaint; and upon the Refusal of such Defaulter or Offender to pay or make such Satisfaction, it shall be lawful for such Justice to commit him to Prison, there to remain for any Time not exceeding One Calendar Month, unless the Amount of such Satisfaction shall be sooner paid; and it shall also be lawful for such Justice, if he shall think fit, to order such Defaulter or Offender to be kept to hard Labour during such Imprisonment.

Penalty on Drivers refusing to go or exacting more than the legal Fare.

XLII. And be it enacted, That if the Driver of any Hackney Carriage shall refuse to go with any Person desirous of hiring his Carriage for the legal and proper Fare allowed by this Act, or if such Driver shall refuse to drive such Hackney Carriage with all reasonable and proper Expedition, or if the Proprietor or Driver of any Hackney Carriage shall exact or demand for the Hire thereof more than the proper Sum limited and allowed for the same by this Act, every such Proprietor or Driver so offending shall forfeit Forty Shillings.

Agreement to pay more than the legal Fare not to be binding.

XLIII. And be it enacted, That no Agreement whatever made with the Driver of any Hackney Carriage for the Payment of more than his proper Fare, as the same is allowed and limited by this Act, shall

shall be binding on the Person making the same, but that any such Person may, notwithstanding any such Agreement, refuse, on discharging such Hackney Carriage, the Payment of any Sum beyond the proper Fare as allowed and limited as aforesaid; and in case any Person shall actually pay to the Driver of any Hackney Carriage, whether in pursuance of any such Agreement or not, any Sum exceeding his said proper Fare, which shall have been demanded or required by such Driver, 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 forfeit, as a Penalty for such Exaction, 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 Calendar Month, unless the said Excess of Fare and the said Penalty shall be sooner paid.

Sum paid beyond the proper Fare may be recovered back.

Penalty 40*s*.

Driver not to charge more than the Sum agreed for, although the Distance be exceeded.

Penalty 40*s*.

XLIV. And be it enacted, That it shall be lawful for any Person to require the Driver of any Hackney Carriage to drive such Hackney Carriage, for a stated Sum of Money, a Distance in the Discretion of such Driver, and in case such Driver shall exceed the Distance to which such Person was entitled to be driven for such stated Sum of Money, such Driver shall not exact or demand more than the Sum for which he was so engaged to drive, upon pain to forfeit Forty Shillings for such Offence.

Penalty for demanding more than the Sum agreed for, though less than the legal Fare, 40*s*.

XLV. And be it enacted, That if the Proprietor or Driver of any Hackney Carriage, or if any other Person on his Behalf and with his Knowledge and Consent, shall agree beforehand with any Person hiring such Hackney Carriage to take for any Job any Sum less than the proper Rate of Fare allowed by this Act, such Proprietor or Driver shall not exact or demand for his Fare more than the Sum agreed for, upon pain to forfeit Forty Shillings for such Offence.

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

XLVI. And, in order to prevent Disputes as to the Number of Persons which the Hirer of any Hackney Carriage shall be entitled to require the Driver of such Hackney Carriage to convey thereby, be it enacted, That no Hackney Carriage shall be used or employed, or let to Hire, or shall stand or ply for Hire, unless nor until there shall be painted on a Plate placed on some conspicuous Place on the Outside of such Hackney Carriage, in legible and conspicuous Letters of Black or White (whichever shall most differ from the Colour of the Ground whereon the same shall be painted), One Inch in Length, and of a proper and proportionate Breadth, the Number of Persons to be carried by such Hackney Carriage, in Words at Length, and in the Form following, (that is to say,) "To carry Persons;" and the Driver of every such Hackney Carriage shall accordingly be compellable, if required by the Hirer thereof, to carry in or by such Hackney Carriage the Number of Persons so painted thereon, or any less Number, at the Option of the Hirer; and if any Person shall use, employ, or let to Hire any Hackney Carriage, or shall stand or ply for Hire therewith, upon which the Number of Persons to be carried thereby

Penalty for Neglect, or for Refusal to carry the Number, 40*s*.

thereby shall not be painted on such Plate in such legible and conspicuous Letters and in the Manner aforesaid, or if the Driver of any such Hackney Carriage shall refuse, if required by the Hirer thereof, to carry in or by such Hackney Carriage the Number of Persons painted thereon, or any less Number which he may be required by such Hirer to carry thereby, every such Person so offending shall forfeit Forty Shillings.

Deposit to be made for Carriages waiting.

XLVII. And be it enacted, That where any Hackney Carriage shall be hired and taken to any Pace of public Resort, or elsewhere, and the Driver thereof shall be required there to wait with such Hackney Carriage, it shall be lawful for such Driver to demand and receive from the Person so hiring and requiring him to wait as aforesaid a reasonable Sum as a Deposit, over and above the Fare to which such Driver shall be entitled for driving thither, which Sum so demanded and received shall be accounted for by such Driver when such Hackney Carriage shall be finally discharged; and if any such Driver who shall have received any such Deposit as aforesaid shall refuse to wait with such Hackney Carriage at the Place where he shall be so required to wait, or if such Driver shall go away or shall permit such Hackney Carriage to be driven or taken away, without the Consent of the Person making such Deposit, before the Expiration of the Time for which the Sum so deposited shall be a sufficient Compensation according to the Rates and Fares contained in the Schedule (C.) to this Act annexed, or if such Driver on the final Discharge of such Hackney Carriage shall refuse duly to account for such Deposit, every such Driver so offending shall forfeit Forty Shillings.

Penalty on the Driver refusing to wait, or to account for the Deposit, 40*s*.

Proprietors to provide Check Strings; Drivers to hold same in their Hands.

XLVIII. And be it enacted, That the Proprietor of every Hackney Carriage shall provide and place in such Hackney Carriage a proper Check String or Wire, and shall renew the same from Time to Time so often as Occasion shall require; and the Driver of every such Hackney Carriage shall, during the Time of his driving any Person in such Hackney Carriage, hold such Check String or Wire in his Hand, so that the same may be used for the Accommodation of such Person; and if the Proprietor of any such Hackney Carriage shall neglect to provide and place in such Hackney Carriage such Check String or Wire as aforesaid, or shall neglect to renew the same when and so often as shall be requisite, or if the Driver of any such Hackney Carriage shall neglect or refuse to hold such Check String or Wire in his Hand during the Time aforesaid, every such Proprietor and every such Driver so offending respectively shall forfeit Twenty Shillings.

Penalty 20*s*.

Property left in Hackney Carriages to be deposited at the Stamp Office.

XLIX. And be it enacted, That the Driver of every Hackney Carriage wherein any Property whatever shall be left by any Person hiring the same shall, within Four Days next after the same shall have been so left, carry such Property, in the State in which he shall find the same, to the Head Office for Stamps in the City of *Westminster*, and shall there deposit and leave the same with the proper Officer to be appointed by the Commissioners of Stamps for that Purpose, upon pain that every such Driver making any Default herein

Penalty 20*l*.

herein shall forfeit Twenty Pounds; and the said Officer with whom any such Property shall be deposited shall forthwith enter in a Book to be kept at the said Office for that Purpose the Description of such Property, and the Name and Address of the Driver who shall bring the same, and the Day on which it shall be brought; and the Property so entered shall be returned to the Person who shall prove, to the Satisfaction of the said Commissioners, that the same belonged to him, such Person previously paying all Expences incurred, together with such reasonable Sum to the Driver who brought the same as with Reference to the Value of the Property in question the said Commissioners shall award: Provided always, that if such Property shall not be claimed by and proved to belong to some Person within One Year after the same shall have been deposited, (the same having been advertized in such Manner as the said Commissioners may direct,) such Property shall be delivered up to the Driver who brought and deposited the same, provided he shall apply for the same within One Calendar Month next after the Expiration of the said One Year; and in default of such Application by the said Driver within the Time limited as aforesaid, the said Commissioners shall cause such Property to be sold or otherwise disposed of, and the Proceeds thereof to be paid over to the Receiver General of Stamp Duties, to be carried to the Public Account.

Property not claimed within a Year to be delivered up to the Driver, if applied for;

if not, to be sold.

Penalty for permitting Persons to ride without Consent of the Hirer, 20*s*.

L. And be it enacted, That if the Proprietor or Driver of any Hackney Carriage which shall be hired shall permit or suffer any Person to ride or be carried in, upon, or about such Hackney Carriage, without the express Consent of the Person hiring the same, such Proprietor or Driver shall forfeit Twenty Shillings.

Improperly standing with Carriage, or feeding Horses in the Street;

LI. And be it enacted, That if any Proprietor or Driver of any Hackney Carriage shall stand or ply for Hire with such Hackney Carriage, or suffer the same to stand, across any Street or common Passage or Alley, or alongside of any other Hackney Carriage, or Two in a Breadth, or within Eight Feet of the Curbstone of the Pavement in any such Street or common Passage or Alley; or if any such Proprietor or Driver, or any Waterman or other Person, shall feed the Horses of or belonging to any Hackney Carriage in any Street, Road, or common Passage, save only with Corn out of a Bag, or with Hay which he shall hold or deliver with his Hands; or if the Driver of any Hackney Carriage shall refuse to give way if he conveniently can to any private Coach or other Carriage, or shall obstruct or hinder the Driver of any other Hackney Carriage in taking up or setting down any Person into or from such other Hackney Carriage; or if any such Proprietor or Driver shall wrongfully, in a forcible or clandestine Manner, take away the Fare from any other such Proprietor or Driver, who, in the Judgment of any Justice of the Peace before whom any Complaint of such Offence shall be heard, shall appear to be fairly entitled to such Fare; every such Proprietor, Driver, Waterman, or other Person so offending shall forfeit Twenty Shillings.

refusing to give way to, or obstructing any other Driver;

or depriving him of his Fare;

Penalty 20*s*.

Carriages may stand Two in

LII. Provided always, and be it enacted, That it shall be lawful for the Proprietors or Drivers of Hackney Carriages to stand with

such

such Hackney Carriages Two in Breadth in *Palace Yard, Westminster*, without being liable to the Penalty by this Act imposed for standing Two in a Breadth or alongside of each other. Breadth in Palace Yard.

LIII. And be it enacted, That after every Four Carriages which shall be upon any Standing for Hackney Carriages in any public Street or Road, there shall be left a clear Space of Ten Feet; and if the Proprietor or Driver of any Hackney Carriage which shall be the next after the Fourth, Eighth, or Twelfth Hackney Carriage upon such Standing, or next after any other Hackney Carriage after which such clear Space as aforesaid ought to be left in pursuance of the Direction of this Act, shall suffer his Hackney Carriage, or the Horse or Horses attached thereto, to stand or be within the Distance of Ten Feet from the said Fourth, Eighth, Twelfth, or other Hackney Carriage after which such clear Space as aforesaid ought to be left, or within the Distance of Ten Feet from the Horse or Horses attached to the said Fourth, Eighth, Twelfth, or other such Hackney Carriage as aforesaid, such Proprietor or Driver so offending shall forfeit Twenty Shillings. A clear Space of Ten Feet to be left after every Four Hackney Carriages on any Standing. Penalty 20*s*.

LIV. And be it further enacted, That it shall be lawful for the Court of Mayor and Aldermen of the City of *London* from Time to Time to appoint proper Places in the said City of *London* and Liberties thereof, and in the Borough of *Southwark*, where Hackney Carriages may stand and ply for Hire, and to make such Orders for regulating the Number of such Hackney Carriages to stand in such Places respectively, and the Distances at which they shall stand from each other, and the Times at and during which they may stand and ply for Hire, and such other Orders and Regulations for the better ordering and regulating the said Hackney Carriages, and the Drivers or other the Person or Persons having the Management thereof respectively, as to the said Court of Mayor and Aldermen shall seem proper, and from Time to Time to alter, amend, or repeal such Rules, Orders, and Regulations, and to make others in the Room thereof; and the said Court of Mayor and Aldermen shall cause all the Rules, Orders, and Regulations to be made by them as aforesaid, and every Alteration, Amendment, or Repeal thereof respectively, to be advertized in the *London Gazette*, and in Two or more Newspapers circulated in the said City of *London*, and a Copy thereof to be hung up for public Inspection in the Town Clerk's Office at the Guildhall of the said City, before the same or any of them shall be carried into effect, or be considered as repealed by the said Court of Mayor and Aldermen; and in case the Driver or any Person or Persons having the Management of any Hackney Carriage shall permit the same to stand for Hire in the said City of *London* or Borough of *Southwark* in any Place which shall not be appointed as aforesaid by the said Court of Mayor and Aldermen, or at or for any other or any longer Time than shall be appointed as aforesaid, or shall in any other Manner offend against the Rules, Orders, and Regulations to be made by the said Court of Mayor and Aldermen by virtue of this Act, or any of them, the Person who shall so place the same, or, if such Person shall not be known, the Owner of such Hackney Carriage, shall for every such Offence forfeit and pay any Sum not exceeding Five The Court of Aldermen authorized to make Orders for regulating Hackney Carriages in the City of London and in the Borough of Southwark. Penalty on Persons offending against such Orders, 5*l*.

Five Pounds; and every such Penalty and Forfeiture for any Offence committed within the said City of *London* or Borough of *Southwark*, after deducting such Part thereof (if any) as shall be adjudged to be paid for the Use of any Informer or Informers, shall be paid to the Chamberlain of the City of *London* for the Time being, to the Account of the Commissioners of Sewers of the said City of *London* and Liberties thereof for the Time being, to be applied for the general Purposes of the Acts of Parliament which the said Commissioners are and shall be appointed to carry into execution: Provided always, that no such Rules, Orders, or Regulations as aforesaid, nor any Alteration or Amendment thereof, shall be in any respect repugnant to or inconsistent with the Laws of the Realm, nor to or with any of the Provisions of this Act.

Penalty for leaving Carriages unattended at Places of public Resort, 20*s*.

LV. And be it enacted, That if the Driver of any Hackney Carriage shall leave such Hackney Carriage unattended in any Street or Road, or at any Place of public Resort or Entertainment, whether such Carriage shall be hired or not, it shall be lawful for any Officer of Police, Constable, or other Peace Officer, Watchman, or Patrole, to drive away such Hackney Carriage, and to deposit the same, with the Horse or Horses belonging or harnessed thereto, at some neighbouring Livery Stables or other Place of safe Custody; and such Driver shall forfeit 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 shall be 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.

Proprietors, Drivers, or Watermen misbehaving.

LVI. And be it enacted, That if the Proprietor or Driver of any Hackney Carriage, or any other Person having the Care thereof, shall by Intoxication, or by wanton and furious Driving, or by any other wilful Misconduct, injure or endanger any Person in his Life, Limbs, or Property, or if any such Proprietor or Driver, or if any Waterman or Assistant to the Drivers of Hackney Carriages, shall make use of any abusive or insulting Language, or be guilty of other rude Behaviour, to or towards any Person whatever, or shall assault or obstruct any Officer of Stamp Duties, or any Officer of Police, Constable, or other Peace Officer, Watchman, or Patrole, in the Execution of his Duty, every such Proprietor, Driver, Waterman, or Assistant, or other Person so offending in any of the several Cases aforesaid, shall forfeit Five Pounds, and in default of Payment thereof he shall be committed to the Common Gaol or House of Correction for any Time not exceeding Two Calendar Months; and after the Conviction of any such Proprietor or Waterman or Assistant, for any such Offence as aforesaid, it shall be lawful for the Commissioners of Stamps, if they shall think fit, to revoke the Licence of

Penalty 5*l*.

Licence may be revoked.

of any such Proprietor or Waterman or Assistant, and to refuse to grant him any further Licence in future.

Justices empowered to award Compensation to Drivers or Watermen for their Loss of Time in attending to answer Complaints which shall not be substantiated against them.

LVII. And be it enacted, That if any Driver of a Hackney Carriage, or any Waterman or Assistant to the Drivers of Hackney Carriages shall be summoned or brought before any Justice of the Peace to answer any Complaint or Information touching or concerning any Offence committed or alleged to have been committed by such Driver or Waterman respectively against the Provisions of this Act, and such Complaint or Information shall afterwards be withdrawn or quashed or dismissed, or if the Defendant shall be acquitted of the Offence charged against him, it shall be lawful for the said Justice, if he shall think fit, to order and award that the Complainant or Informant shall pay to the said Driver or Waterman such Compensation for his Loss of Time in attending the said Justice touching or concerning such Complaint or Information as to the said Justice shall seem reasonable; and in default of Payment of such Compensation, it shall be lawful for the said Justice to commit such Complainant or Informant to Prison for any Time not exceeding One Calendar Month, unless the same shall be sooner paid.

Commissioners to give Notice of the Revocation of Licences.

LVIII. And be it enacted, That whenever the Commissioners of Stamps shall revoke any Licence granted under the Authority of this Act to the Proprietor of any Hackney Carriage, or to any Waterman or Assistant to the Drivers of Hackney Carriages, they shall forthwith cause a Notice of such Revocation, in such Form as they shall think fit, and signed by any Two of them, to be given to the Person named in such Licence as the Person licensed, or left for him at the Place mentioned in such Licence as the Place of his Abode; and in case he shall have quitted such Place, or the same shall be a false or fictitious Place of Abode, then the said Commissioners shall cause such Notice to be posted up in some public Place at the said Head Office for Stamps in *Westminster*, which shall be deemed a good and sufficient Notice of such Revocation to all Intents and Purposes.

Names and Places of Abode of Owners of Waggons, Carts, &c. to be painted thereon.

LIX. And for preventing the Misbehaviour of the Drivers of Waggons, Wains, Carts, Cars, Drays, and other such Carriages used in the Metropolis and the Suburbs thereof, and for the better Discovery of Offenders, be it enacted, That the Owner of every Waggon, Wain, Cart, Car, Dray, or other such Carriage which shall be driven or used in any public Street or Road within the Distance of Five Miles from the General Post Office in the City of *London*, shall before such Waggon, Wain, Cart, Car, Dray, or other such Carriage shall be so driven or used as aforesaid, paint or cause to be painted in Words at full Length, and in One or more straight Line or Lines, upon some conspicuous Place on the right or off Side of such Waggon, Wain, Cart, Car, Dray, or other such Carriage, clear of the Wheel or Wheels thereof, or upon the right or off Side Shaft thereof, the true Christian Name and Surname and Place of Abode of the Owner or (if there be more than One) of the principal Owner of such Waggon, Wain, Cart, Car, Dray, or other such Carriage, and the Letters of all such Words shall be painted in legible and conspicuous Characters of Black upon a White Ground or of White upon a Black Ground,

and shall be at least One Inch in Height, and of a proper and proportionate Breadth; and all such Words shall be repainted or renewed in like Manner from Time to Time as often as the same or any Part thereof shall become obliterated or defaced.

Penalty for using Waggons, &c. upon which the Names and Places of Abode are not painted, 5*l.*

LX. And be it enacted, That if any Person shall drive or use, or cause to be driven or used, in or upon any public Street or Road within the Distance of Five Miles from the said General Post Office, any Waggon, Wain, Cart, Car, Dray, or other such Carriage upon which there shall not be duly painted in such legible and conspicuous Characters as aforesaid, and in the Manner directed by this Act, the true Christian Name and Surname and Place of Abode of the Owner or (if there be more than One) of the principal Owner of such Waggon, Wain, Cart, Car, Dray, or other such Carriage, every Person so offending shall forfeit Five Pounds; and it shall be lawful for any Person to take and seize such Waggon, Wain, Cart, Car, Dray, or other such Carriage, and any Horse drawing the same, and to lodge the same for safe Custody at some public Green Yard, or some Livery Stables or other Place of Safety, and them to detain and keep until some One of His Majesty's Justices of the Peace shall hear and determine such Offence, and until the Penalty which such Offender shall be liable and adjudged to pay for such Offence, together with the Costs of the Proceedings for the Recovery thereof, and the Expences of taking and keeping such Waggon, Wain, Cart, Car, Dray, or other Carriage, and any Horse drawing the same, shall be fully paid and discharged; and if, on the Conviction of any such Offender, the said Penalty, Costs, and Expences shall not be forthwith paid, such Waggon, Wain, Cart, Car, Dray, or other such Carriage, and the Horse, so seized and taken as aforesaid, or either of them, shall be sold under an Order for that Purpose, under the Hand of such Justice, directed to the Constable or other Peace Officer of the Parish or Place where any such Offence shall be committed; and the Surplus (if any) of the Money arising from such Sale, after deducting thereout the Amount of such Penalty, Costs, and Expences as aforesaid, together also with the Costs and Expences of such Sale, shall be rendered to the Owner of the Waggon, Wain, Cart, Car, Dray, or other Carriage or Horse which shall have been so seized and sold as aforesaid.

Duties and Penalties how recoverable.

LXI. And be it enacted, That all the Duties granted by this Act, and all Fines, Penalties, and Forfeitures imposed by or which may be incurred under any of the Provisions of this Act, relating in any Manner to the Licences required to be obtained for Hackney Carriages, or to the Stamp Office Plate to be fixed thereon, shall and may be sued for and recovered by all such Ways and Means, summary or otherwise, and in such Manner and Form, as are and is or at any Time hereafter shall be provided by Law for the Recovery of any Duties, Penalties, or Forfeitures granted or imposed by any Act relating to Stamp Duties, as well as by the particular Ways and Means provided and directed by this Act.

Before whom Offences shall be heard and determined.

LXII. And be it enacted, That it shall be lawful for His Majesty's Principal Secretary of State for the Home Department, by such Orders and under such Regulations as he shall from Time to Time think

think fit to make in that Behalf, to direct any One of His Majesty's Justices of the Peace appointed or to be appointed under any Act or Acts for regulating the Office of a Justice of Peace in the Metropolis, to attend daily from the Hour of Eleven in the Forenoon until the Hour of Three in the Afternoon, at such one of the public Police Offices of the Metropolis, or at such other Office or Place as the said Principal Secretary of State shall appoint in that Behalf, not being within the City of *London*, for the Purpose of hearing and determining Offences against the Provisions of this Act; and that it shall be lawful for any Justice of the Peace who for the Time being shall be in attendance at such public Police Office, or other Office or Place to be appointed for that Purpose as aforesaid, to hear and determine all such Offences as aforesaid in a summary Manner, wheresoever the same may have been committed: Provided always, that it shall also be lawful for any other of His Majesty's Justices of the Peace, having Jurisdiction where any such Offence as aforesaid shall be committed, in like Manner to hear and determine the same at any Place within his Jurisdiction.

Mode of proceeding for Penalties before a Justice of the Peace.

LXIII. And be it enacted, That it shall be lawful for any such Justice as aforesaid, in all Cases in which no other Mode of Proceeding is specially provided or directed by this Act, upon Information or Complaint made by any Person of any Offence against the Provisions of this Act within Thirty Days next after the Commission of any such Offence, to summon the Party accused, and also the Witnesses on either Side, to appear before the said Justice, or before any other Justice of the Peace, at a Time and Place to be appointed for that Purpose; and either on the Appearance of the Party accused, or in default thereof, it shall be lawful for such Justice, or any other Justice present at the Time and Place appointed for such Appearance, to proceed 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 for the Penalty or Forfeiture, and on Nonpayment thereof, together with the Costs of such Proceedings, to commit the Offender to Prison, where such Commitment is specially directed by this Act; and in any Case where such Commitment is not so specially directed, such Justice is hereby required to award and issue out of his Warrant for the levying of any Penalty or Forfeiture so adjudged, together with the said Costs and Expences, and also the Costs and Expences of such Warrant, and of levying the same on the Goods of the Offender, and to cause Sale to be made of such Goods in case they shall not be redeemed within Five Days, rendering to the Party the Overplus (if any); and where Goods of such Offender cannot be found sufficient to answer the Penalty, and all such Costs and Expences, to commit such Offender to Prison, there to remain for any Time not exceeding Two Calendar Months, unless such Penalty and all such Costs and Expences shall be sooner paid; and every such Imprisonment shall be with or without hard Labour, as such Justice shall direct; and all Proceedings whatsoever before any Justice of the Peace under any of the Provisions of this Act, and the Judgment of the said Justice thereon, shall be final and conclusive between the Parties, and shall not be quashed or vacated for Want of Form, and shall not be removed by Certiorari, or any other Writ or Process, into any

any superior Court, any Law, Statute, or Usage to the contrary notwithstanding.

In what Manner Goods distrained under this Act shall be sold.

LXIV. And be it enacted, That in all Cases where any Goods or Chattels distrained or otherwise seized or taken under any of the Provisions of this Act are directed to be sold, the same shall be sold by public Auction, and Notice of the Time and Place of such Sale shall be given to the Owner of such Goods or Chattels, or left at his last known Place of Abode Three Days at the least prior to such Sale; Provided always, that if the Owner of any such Goods or Chattels shall give his Consent in Writing to the Sale thereof at an earlier Period than is by this Act or shall be by any such Notice appointed for such Sale, or in any other Manner than is by this Act directed, it shall be lawful to sell such Goods and Chattels according to such Consent: Provided also, that if the Owner of such Goods or Chattels shall at any Time before the Sale thereof pay or tender to the Person who by any Warrant or other Process shall be directed or authorized to cause such Goods or Chattels to be sold the Sum which he shall by such Warrant or Process be directed to levy or raise by the Sale of such Goods or Chattels, together with all reasonable Costs and Expences incurred, no Sale of such Goods or Chattels shall be made.

Summonses, Convictions, and Warrants to be drawn up according to the Forms in the Schedule (D.)

LXV. And be it enacted, That every Summons, Conviction, Warrant of Distress, or Commitment which shall be respectively made or issued in any Proceedings for the Recovery of any Duty or Penalty under the Provisions of this Act, may be drawn or made out according to the several Forms contained in the Schedule (D.) hereunto annexed, or to the Effect thereof, *mutatis mutandis*, as the Case shall require; and every such Summons, Warrant, and Conviction respectively which shall be so drawn or made out shall be good and effectual, without stating the Case of the Facts or Evidence in any more particular Manner than is required by such Forms respectively.

Justices may issue Warrants or Summonses against Proprietors, Drivers, and Watermen.

LXVI. Provided always, and be it enacted, That it shall be lawful for any Justice of the Peace, upon any Complaint being lodged before him against the Proprietor or Driver of any Hackney Carriage, or against any Waterman or Assistant to the Drivers of Hackney Carriages, under the Provisions of this Act, to issue a Warrant for the Apprehension of such Proprietor or Driver or such Waterman or Assistant, or a Summons for his Appearance, to be examined touching the said Complaint or to answer the same, as to such Justice shall seem fit.

Penalty on Witnesses neglecting to attend or refusing to give Evidence, 5*l.*

LXVII. And be it enacted, That if any Person who shall be summoned as a Witness to give Evidence before any Justice of the Peace touching the Matters alleged in or relating to any Information, Complaint, or other Proceeding depending before such Justice under the Authority of this Act, shall neglect or refuse to appear before such Justice at the Time and Place to be for that Purpose appointed, without a reasonable Excuse to be allowed by such Justice, or if any Person so summoned shall appear, but shall refuse to be examined

and

and give Evidence before such Justice touching the Matters aforesaid, every Person so offending shall forfeit Five Pounds.

Service of Justice's Summons.

LXVIII. And be it enacted, That any Summons issued by any Justice of the Peace requiring the Appearance of any Defendant or of any Witness or other Person, with reference to any Information, Complaint, or other Proceeding pending for the Recovery of any Duty or Penalty under this Act, shall be deemed to be well and sufficiently served in case either the Summons or a Copy thereof be served personally on any such Person as aforesaid, or be left at his usual or last Place of Abode, or (in case such Person be a licensed Proprietor of a Hackney Carriage, or a licensed Waterman or Assistant to the Drivers of Hackney Carriages,) at the Place specified in any such Licence as the Place of Abode of such Proprietor or Waterman, as the Case may be; and if the Place so specified cannot be found, or if such Proprietor or Waterman shall not be known thereat, then such Summons shall be deemed to be well and sufficiently served if the same or a Copy thereof be fixed up in some conspicuous Place in the said Head Office for Stamps to be appointed for that Purpose.

Penalty on Constable refusing to serve a Summons or execute a Warrant.

LXIX. And be it enacted, That if any Constable or other Peace Officer shall refuse or neglect to serve or execute any Summons, Warrant, or Order granted or issued by the Commissioners of Stamps or by any Justice of the Peace, pursuant to any of the Provisions of this Act, every such Constable or Peace Officer so offending, and being convicted thereof upon the Information of any Person before any Justice of the Peace, shall forfeit Five Pounds, and in default of Payment thereof shall be committed by such Justice to the House of Correction, there to be kept for the Space of One Calendar Month, unless such Penalty shall be sooner paid.

Justices may mitigate Penalties.

LXX. And be it enacted, That it shall be lawful for any Justice of the Peace before whom any Person shall be convicted of any Offence against any of the Provisions of this Act to mitigate, as he shall think fit, any Penalty by this Act imposed, in Cases where such Justice shall see Cause so to do; provided that all reasonable Costs and Charges expended or incurred in prosecuting for such Offence shall be always allowed over and above the Sum to which such Penalty shall be mitigated; any thing herein contained to the contrary notwithstanding.

Distribution of Penalties.

LXXI. And be it enacted, That all pecuniary Penalties which shall be recovered before any Justice of the Peace under the Provisions of this Act, except such as shall be recovered in the City of *London* or the Borough of *Southwark*, shall respectively be divided and distributed in manner following; (that is to say,) one Moiety thereof to His Majesty, and the other Moiety thereof (with full Costs) to the Person who shall inform and prosecute for the same.

Informants or Complainants not disqualified from being Witnesses.

LXXII. And be it enacted, That upon the Trial or hearing of any Information or Complaint exhibited or made under any of the Provisions of this Act, any Informant or Complainant or other Person shall be deemed and is hereby declared to be a competent Witness, notwithstanding that he may be entitled to any Part of any pecuniary

Penalty or to any pecuniary Compensation or Reward on the Conviction of any Offender upon any such Information or Complaint.

Limitation of Actions. Venue. Notice of Action. General Issue. Tender of Amends.

LXXIII. And be it enacted, That all Actions and Prosecutions which shall be brought or commenced against any Person for any thing done in pursuance or under the Authority of this Act shall be commenced and prosecuted within Three Calendar Months next after the Fact committed, and not afterwards, and shall be brought and tried in the County or Place where the Cause of Action shall arise, and not elsewhere; and Notice in Writing of such Action and of the Cause thereof shall be given to the Defendant One Calendar Month at least before the Commencement of the Action; and the Defendant in such Action may plead the General Issue, and give this Act and any other Matter or Thing in Evidence at any Trial to be had thereupon; and if the Cause of Action shall appear to arise from any Matter or Thing done in pursuance and by the Authority of this Act, or if any such Action shall be brought after the Expiration of such Three Calendar Months, or shall be brought in any other County or Place than as aforesaid, or if Notice of such Action shall not have been given in manner aforesaid, or if Tender of sufficient Amends shall have been made before such Action commenced, or if a sufficient Sum of Money shall have been paid into Court after such Action commenced, by or on behalf of the Defendant, the Jury shall find a Verdict for the Defendant; and if a Verdict shall pass for the Defendant, or if the Plaintiff shall become Nonsuit, or shall discontinue any such Action, or if on Demurrer or otherwise Judgment shall be given against the Plaintiff, the Defendant shall recover his full Costs of Suit as between Attorney and Client, and shall have the like Remedy for the same as any Defendant may have for Costs of Suit in other Cases at Law; and although a Verdict shall be given for the Plaintiff in any such Action, such Plaintiff shall not have Costs against the Defendant unless the Judge before whom the Trial shall be had shall signify his Approbation of the Action, and of the Verdict obtained thereupon.

Construction of the Terms used in this Act.

LXXIV. And in order to avoid the frequent Use of divers Terms and Expressions, and to prevent any Misconstruction of the Terms and Expressions used in this Act; be it enacted, That whenever in this Act with reference to any Person, Animal, Matter, or Thing, any Word or Words is or are used importing the Singular Number or the Masculine Gender only, yet such Word or Words shall be understood to include several Persons or Animals as well as One Person or Animal, Females as well as Males, Bodies Politic or Corporate as well as Individuals, and several Matters or Things as well as One Matter or Thing, unless it be otherwise specially provided, or there be something in the Subject or Context repugnant to such Construction.

Duties granted by 50 G. 3. c. 41. on Hawkers and Pedlars, to be paid to Commissioners of Stamps.

LXXV. And whereas it is expedient to transfer the Collection and Management of the Duties on Hawkers and Pedlars in *England* from the Commissioners for licensing and regulating Hackney Coaches to the Commissioners of Stamps; be it therefore enacted, That from and after the Fifth Day of *January* One thousand eight hundred and thirty-two the Rates and Duties granted and made payable, by an Act passed in the Fiftieth Year of the Reign of His

late Majesty King *George* the Third, intituled *An Act for placing the Duties of Hawkers and Pedlars under the Management of the Commissioners of Hackney Coaches*, by every Hawker, Pedlar, Petty Chapman, and every other trading Person and Persons going from Town to Town, or to other Men's Houses, and travelling either on Foot, or with Horse, Horses, or otherwise, in *England*, *Wales*, or the Town of *Berwick-upon-Tweed*, carrying to sell or exposing to Sale any Goods, Wares, or Merchandize, shall be payable and paid to and shall be under the Care and Management of the Commissioners of Stamps for the Time being, and shall be denominated and deemed to be Stamp Duties.

Powers, &c. of 50 G. 3. c. 41. and of any other Act relating to Duties on Hawkers and Pedlars, to be of as full Force as if repeated in this Act.

LXXVI. And be it enacted, That all the Powers, Provisions, Regulations, and Directions contained in the said recited Act, or in any other Act or Acts relating to the said Duties on Hawkers and Pedlars in force immediately before the passing of this Act, shall be executed and enforced by the Commissioners of Stamps, for securing and collecting the said Duties, as fully and effectually as if such Powers, Provisions, Regulations, and Directions had been originally given to the said Commissioners of Stamps, and as if the same were repeated and re-enacted in this Act; and that all the Powers, Provisions, Regulations, and Directions, Forfeitures, Pains, and Penalties contained in and imposed by any Act or Acts in force immediately before the passing of this Act, in relation to any of the Duties under the Management of the Commissioners of Stamps, so far as the same are applicable to the said Duties on Hawkers and Pedlars, shall be of full Force and Effect, and shall be applied and put in execution, for securing and collecting the said last-mentioned Duties, and for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually as if such Powers, Provisions, Regulations, and Directions, Forfeitures, Pains, and Penalties, were repeated and specially enacted in this Act with reference to the said last-mentioned Duties.

Commencement of the Act.

LXXVII. And be it enacted, That in all Cases where no other Period is specially fixed for the Commencement of any of the Clauses or Provisions of this Act, the same shall commence and take effect on the Fifth Day of *January* in the Year One thousand eight hundred and thirty-two: Provided always, that it shall be lawful for the Commissioners of Stamps or their authorized Officer, at any Time during the Period of One Calendar Month preceding the said Fifth Day of *January*, to grant and issue Licences under any of the Provisions of this Act, to commence and take effect after the said Fifth Day of *January*; and all Licences which shall be so granted and issued shall be dated on the said Fifth Day of *January* One thousand eight hundred and thirty-two, and shall be valid and effectual to all Intents and Purposes, any thing hereinbefore contained to the contrary notwithstanding.

Act may be altered this Session.

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

The

The SCHEDULES to which this Act refers.

SCHEDULE (A.)

Containing the DUTIES imposed by this Act.

	£	s.	d.
For and upon every Licence to keep, use, employ, and let to Hire any Hackney Carriage within the Distance of Five Miles from the General Post Office in the City of London - - - - - - -	5	0	0
And for and in respect of every such Licence as aforesaid, weekly and every Week during the Continuance thereof, the Sum of - - - - - -	0	10	0

SCHEDULE (B.)

Containing the RATES and FARES to be paid for any HACKNEY CARRIAGE hired and taken any Distance; (that is to say,)

	£	s.	d.
For every Hackney Carriage drawn by Two Horses, for any Distance within and not exceeding One Mile -	0	1	0
And for any Distance exceeding One Mile, after the Rate of Sixpence for every Half Mile, and for any fractional Part of Half a Mile over and above any Number of Half Miles completed.			
And for every Hackney Carriage drawn by One Horse only, Two Thirds only of the Rates and Fares above mentioned.			

SCHEDULE (C.)

Containing the RATES and FARES to be paid for any HACKNEY CARRIAGE hired and taken for any Time; (that is to say,)

For every Hackney Carriage drawn by Two Horses:

	£	s.	d.
For any Time within and {not exceeding} Thirty Minutes	0	1	0
Above Thirty Minutes - - - Forty-five Minutes	0	1	6
Forty-five Minutes - - - One Hour -	0	2	0
And for any further Time exceeding One Hour, then after the Rate and Proportion of Sixpence for every Fifteen Minutes completed, and Sixpence for any fractional Part of the Period of Fifteen Minutes.			
And for every Hackney Carriage drawn by One Horse only, Two Thirds only of the Rates and Fares above mentioned.			

SCHEDULE (D.)

Containing the Forms of Proceedings for the Recovery of Duties and Penalties under this Act.

No. 1.

Form of a Warrant of Distress for the Recovery of Duties.

To *A. B.* of, *&c.*

WHEREAS a Licence [*or* Licences] hath [*or* have] been granted, under the Provisions of the Statute in that Behalf made, to *C. D.* of, *&c.* to keep, use, employ, and let to Hire a Hackney Carriage [*or* Hackney Carriages] at any Place within the Distance of Five Miles from the General Post Office in the City of London, with Plates numbered (respectively) [*here specify the Number or Numbers of the Plates appertaining to the Licence or Licences granted to C. D.*]: And whereas the said *C. D.* hath made Default in Payment of the Sum of for the weekly Duty which hath become due and payable to His Majesty in respect of such Licence [*or* Licences], contrary to the Statute in that Case made and provided: Therefore we and Esquires, Two of the Commissioners of Stamps, do hereby authorize and direct you to distrain the said *C. D.* by his Goods and Chattels, and also to seize and take all or any of the Carriages, Horses, Harness, and other Things made subject and liable to the said Duty by the Statute in that Behalf, and to levy thereon the said Sum of being the Amount of such Duty so due and payable as aforesaid; and if within the Space of Five Days next after the taking of such Distress the said Sum of together with the reasonable Costs and Charges of taking and keeping such Distress, shall not be paid, then we do hereby order and direct that you shall sell and dispose of the said Goods and Chattels, Carriages, Horses, Harness, and other Things which shall be so distrained, seized, and taken, and that you shall levy and raise thereout the said Sum of and all reasonable Costs and Charges of taking, keeping, and selling such Distress, rendering the Overplus (if any) to the Owner of the said Goods and Chattels; and you are to certify to the Commissioners of Stamps what you shall have done by virtue of this our Warrant.

Given under our Hands this Day of .

No. 2.

Form of a Conviction on Proceedings for the Recovery of a Penalty.

County [*or as the Case may be*] of } BE it remembered, That on the Day of
to wit. } at *C. D.*, of, *&c.* was duly convicted
before me one of His Majesty's Justices of the Peace

for in pursuance of an Act passed in the Second Year of the Reign of His present Majesty King *William* the Fourth, intituled *An Act, &c.* [*Title of this Act*], for that the said *C. D.* on the Day of did [*here state the Offence as the Case may happen to be*], contrary to the Form of the Statute in that Case made and provided; for which Offence I do adjudge that the said *C. D.* hath forfeited the Sum of and [*if the Justice mitigate the Penalty*] which Sum of I do hereby mitigate to the Sum of over and above the Sum of for the Costs and Charges of *E. F.* the Informer, in prosecuting this Conviction.

Given under my Hand and Seal the Day of .

No. 3.

FORM of a WARRANT of DISTRESS founded on the foregoing Conviction.

To *A. B.* of, *&c.*

County [*or as the Case may be*] of } WHEREAS *C. D.* of, *&c.* has been duly convicted
to wit. } of a certain Offence, for that [*here state shortly the Offence*], whereby he hath forfeited the Sum of

[and, *in case of Mitigation*, which hath been mitigated to the Sum of over and above the Sum of for the Costs and Charges of the Informer, making together the Sum of], therefore I command you to levy the said Sum of by distraining the Goods and Chattels of the said *C. D.*, and by seizing and taking all or any of the Carriages, Horses, Harness, and other Things made subject and liable by the Statute in that Behalf to be seized and taken, to satisfy the Penalty, Costs, and Charges aforesaid; and if within the Space of Five Days next after such Distress taken, the said Sum of together with the reasonable Costs and Charges of taking and keeping such Distress, shall not be paid, then I order and direct that you shall sell and dispose of the said Goods and Chattels which shall be so distrained, seized, and taken as aforesaid, and shall levy and raise thereout the said Sum of and all reasonable Costs and Charges of taking, keeping, and selling such Distress, rendering the Overplus (if any) to the Owner of the said Goods and Chattels; and you are to certify to me what you shall have done by virtue of this my Warrant.

Given under my Hand and Seal the Day of

(Signed)
One of His Majesty's Justices of the Peace
for .

No. 4.

FORM of a WARRANT of COMMITMENT for Want of a sufficient DISTRESS, founded on the foregoing Conviction.

To *A.B.* of, *&c.* and to the Keeper of the Common Gaol [*or* House of Correction] at .

County [*or as the Case may be*] of to wit. } WHEREAS *C.D.* of, *&c.* has been duly convicted of a certain Offence, for that [*here state shortly the Offence*] whereby he hath forfeited the Sum of [*in case of Mitigation* which hath been mitigated to the Sum of over and above the Sum of for the Costs and Charges of the Informer, making together the Sum of]: And whereas it has been duly made to appear to me that no sufficient Distress can be found whereon to levy the said Sum of , therefore I command you the said *A. B.* to apprehend and take the said *C. D.*, and safely to convey him to the Common Gaol [*or* House of Correction] at and there to deliver him to the Keeper thereof, together with this Warrant: And I do hereby command you the said Keeper to receive into your Custody in the said Gaol [*or* House of Correction] him the said *C. D.*, and him therein safely to keep for the Space of unless the said Sum of shall be sooner paid.

Given under my Hand and Seal the Day of .

(Signed)
One of His Majesty's Justices of the Peace for .

No. 5.

FORM of a SUMMONS to the PROPRIETOR of a Hackney Carriage to produce the DRIVER thereof to answer a Complaint or Information.

To *E. F.* of, *&c.* Proprietor of the Hackney Carriage, No.

WHEREAS Complaint [*or* Information] hath been made [*or* given] against the Driver of the Hackney Carriage, Number on the Day of now last past [*or* instant], of which said Hackney Carriage you were then the Proprietor, charging that the said Driver, on the said Day of now last past [*or* instant], did [*here state the alleged Offence*], contrary to the Form of the Statute in that Case made and provided; these are therefore to require you personally to appear before me, or such other of His Majesty's Justices of the Peace as shall be present at on the Day of at of the Clock in the and then and there to produce the said Driver to answer the said Complaint [*or* Information].

Dated the Day of .

(Signed)
One of His Majesty's Justices of the Peace for .

No. 6.

FORM of a WARRANT of DISTRESS for levying upon the PROPRIETOR of a Hackney Carriage the Penalty in which the DRIVER thereof has been convicted.

To *A. B.* of, *&c.*

County [*or as the Case may be*] of to wit. } WHEREAS *C. D.*, the Driver of the Hackney Carriage, Number on the Day of (of which said Hackney Carriage *E. F.* of, *&c.* was then the Proprietor), has been duly convicted of a certain Offence, for that [*here state the Offence*], whereby he hath forfeited the Sum of [and, *in case of Mitigation*, which hath been mitigated to the Sum of over and above the Sum of for the Costs and Charges of the Informer, making together the Sum of], which hath not been paid by the said Driver, nor by any Person on his Behalf: And whereas, according to the Statute in that Behalf made, the said *E. F.*, the Proprietor of the said Hackney Carriage, hath been required to pay the said Sum of which he hath neglected and refused to do; therefore I command you to levy the said Sum of by distraining the Goods and Chattels of the said *E. F.*, the said Proprietor, and by seizing, *&c.* [*proceed as in the Form No. 3. to the End thereof.*]

No. 7.

FORM of a WARRANT of COMMITMENT of the PROPRIETOR of a Hackney Carriage, for Want of a sufficient Distress whereon to levy the Penalty in which the DRIVER of such Hackney Carriage has been convicted.

To *A. B.* of, *&c.* and to the Keeper of the Common Gaol [*or* House of Correction] at

County [*or as the Case may be*] of to wit. } WHEREAS, *&c.* [*proceed as in the Form No. 6. to the Words* "which he hath neglected and refused to do," *inclusive*]: And whereas it has been duly made to appear to me that no sufficient Distress of the Goods and Chattels of the said *E. F.*, the said Proprietor, can be found, whereon to levy the said Sum of , therefore I command you the said *A. B.* to apprehend and take the said *E. F.* and safely to convey him, *&c.* [*proceed as in the Form No. 4. to the End thereof.*]

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