ANNO TRICESIMO NONO & QUADRAGESIMO

GEORGII III. REGIS.

****

C A P. XLVII.

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. [30th *May* 1800.]

WHEREAS the Rates and Fares to be taken by Hackney Coachmen, and Perſons legally acting under them, for the Hire of Hackney Coaches, have been found in ſome Inſtances to be inſufficient: And whereas it is therefore expedient that ſome of the Rates and Fares enumerated in an Act, paſſed in the Twenty-ſixth Year of the Reign of His preſent Majeſty, intituled, *An Act for explaining and amending an Act, made in the Twenty-fourth Year of the Reign of His preſent Majeſty, intituled, ' An Act for laying an additional Duty on Hackney ' Coaches, and for explaining and amending ſeveral Acts of Parliament relating to Hackney Coaches,'* ſhould be increaſed: 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, That, from and after the paſſing of this Act, every Perſon who now is or ſhall hereafter be licenſed by the Commiſſioners for regulating Hackney Coaches and Chairs, or the major Part of them, to drive, keep, and let to hire by the Hour or Day, or otherwiſe, any Hackney Coach with Horſes, Geldings,

Preamble.

26 Geo. III. Cap. 72, recited.

After paſſing this Act, the following Fares to be taken:

5 F and

and Mares, within the Cities of *London* or *Weſtminſter*, or the Suburbs of the ſame, or within the Pariſhes or Places comprized within the Weekly Bills of Mortality, or any other Place or Places, which by any of the Laws now in being ſuch Hackney Coachmen are compellable to go, or any Perſon acting legally under any ſuch Licenſed Perſon ſhall be entitled to, and may demand, receive, and take for the Hire of any ſuch Hackney Coach, the Rates and Fares herein-after mentioned; (that is to ſay),

Fares for Coaches taken any Diſtance between Six in the Morning and 12 at Night:

For every Hackney Coach hired and taken any Diſtance, at any Time between the Hours of Six of the Clock in the Morning and Twelve of the Clock at Night, the Rates and Fares following, (that is to ſay),

For every Diſtance within and not exceeding One Mile, the Sum of One Shilling:

For every further Diſtance within and not exceeding Half a Mile, computed as beyond the firſt Mile, the additional Sum of Sixpence, and ſo in like Manner the Sum of Sixpence for every further Diſtance within and not exceeding Half a Mile, to be computed through the whole Diſtance which ſuch Coach ſhall be driven or go:

Fares for Coaches kept in waiting between Six in the Morning and Twelve at Night:

And for every Hackney Coach hired and kept in waiting between the Hours of Six of the Clock in the Morning and Twelve of the Clock at Night, the ſeveral Rates and Fares following, (that is to ſay),

For any Time not exceeding Forty Minutes, the Sum of One Shilling; and for every further Period of Time not exceeding Twenty Minutes, to be computed from the Expiration of the firſt Forty Minutes during the whole of the Time which ſuch Coach ſhall be engaged, employed, or kept in waiting, the further Sum of Sixpence for every ſuch additional Period:

Fares for Coaches hired where there is a regular Continuation of Carriage Way Pavement, or at a Stand beyond ſuch Continuation, and diſcharged at a Place where they cannot be driven to ſuch neareſt Continuation, or ſuch Standing, before Sun-ſet.

And for every Hackney Coach hired in any Part of the Cities of *London* and *Weſtminſter*, or the Borough of *Southwark*, or any Place adjoining thereto, where there is a regular Continuation of Carriage Way Pavement from either of the ſaid Cities or Borough aforeſaid, or at any Standing for Hackney Coaches beyond any ſuch regular Continuation of Carriage Way Pavement, and taken to and diſcharged at any Place from which ſuch Coach cannot be driven to the neareſt Continuation of Carriage Way Pavement, or ſuch Standing as aforeſaid, before Sun-ſet, (eſtimating the Rate of driving of ſuch Coach at Five Miles in the Hour), then One Half Part of the Rate or Fare allowed by this Act, for all ſuch Diſtance as ſuch Coach can be ſo driven as aforeſaid, towards ſuch neareſt Continuation of Carriage Way Pavement before Sun-ſet; but nevertheleſs ſo as that no Fraction of any Sum leſs than Sixpence ſhall be demandable or demanded, or payable or paid, where by reaſon of any ſuch Half Rate or Fare as aforeſaid, any ſuch Fraction ſhall ariſe; and the full Rate or Fare allowed by this Act, for all ſuch Diſtance as ſhall remain for ſuch Coach to be driven at the Rate aforeſaid, to ſuch Continuation of regular Carriage Way Pavement after Sun-ſet, or where any ſuch Coach ſhall, in either of ſuch laſt mentioned Caſes, have been hired or taken at any Standing beyond the regular Continuation of Carriage Way Pavement, then to ſuch Standing or to the neareſt Continuation of Carriage Way Pavement, at the Option of the Perſon diſcharging ſuch Coach:

And

And for every Hackney Coach hired or kept for the Day, (ſuch Day not to exceed Twelve Hours, and to end before or at Twelve of the Clock at Night, and the Diſtance which ſuch Coach ſhall be taken not to exceed Twenty Miles), the Sum of Eighteen Shillings for ſuch Day's Work, and for any further Time exceeding ſuch Twelve Hours or Diſtance exceeding Twenty Miles, and alſo for any Time after Twelve of the Clock at Night, then ſuch further Rate or Fare for ſuch Time or Diſtance as is in any Caſe allowed for any further Time or Diſtance of the like Nature by this Act; and alſo if any ſuch Coach ſhall be taken to and diſcharged at any Place where there is not a regular Continuation of Carriage Way Pavement adjoining either of the Cities or Borough aforeſaid, exceeding One Mile from the extreme End of the neareſt regular Continuation of Carriage Way Pavement, ſo as that ſuch Coach cannot be driven to ſuch neareſt Continuation of Carriage Way Pavement within ſuch Twelve Hours, or before Twelve of the Clock at Night, or where the Diſtance of any ſuch laſt mentioned Place where any ſuch Coach ſhall be diſcharged as aforeſaid, added to the Diſtance which ſuch Coach ſhall have before been driven, ſhall in the Whole exceed Twenty Miles, then ſuch further and additional Rate or Fare as is allowed by this Act for any further Time or Diſtance of the like Nature:

Fares for Coaches hired for the Day.

And for every Hackney Coach which ſhall be hired or taken, or kept in waiting for any Time, or taken any Diſtance after Twelve of the Clock at Night and before Six of the Clock in the Morning, or which ſhall be diſcharged at any ſuch Time and Place, as that ſuch Coach cannot be driven to the extreme End of ſome regular continued Carriage Way Pavement before Twelve of the Clock at Night, an additional Rate or Fare for ſuch Time or Diſtance as aforeſaid, over and above the Rate or Fare before mentioned of One Sixpence upon every Shilling of ſuch Rate or Fare, but ſo as that ſuch additional Rate or Fare ſhall not be allowed, taken, or received, for any Coach hired between the Hours of Ten and Twelve of the Clock at Night in any Caſe unleſs the Rate or Fare according to the Time for which ſuch Coach ſhall be kept, or the Diſtance which ſuch Coach ſhall be taken, ſhall, according to the Rates and Fares before mentioned, amount to the Sum of Two Shillings or upwards although ſuch Coach ſhall not be diſcharged till after Twelve of the Clock at Night.

Fares for Coaches hired or kept in waiting after 12 at Night, and before Six in the Morning, or which ſhall be diſcharged at ſuch Time and Place that they cannot be driven to ſome regular continued Carriage Way Pavement before 12 at Night.

II. And be it further enacted, That whenever the Average Price of Oats, made up, computed, and verified, and publiſhed in the *London Gazette*, according to the Proviſions of an Act, paſſed in the Thirty-firſt Year of the Reign of His preſent Majeſty, intituled, *An Act for regulating the Importation and Exportation of Corn, and the Payment of the Duty on Foreign Corn imported, and of the Bounty on* Britiſh *Corn exported*, ſhall exceed Twenty-five Shillings *per* Quarter, it ſhall be lawful for the Commiſſioners for licenſing and regulating Hackney Coaches and Chairs, or the major Part of them, if they ſhall ſee fit, to cauſe an Addition to be made to the Rates and Fares herein-before mentioned and allowed, to be demanded, received, and taken, for the Hire of any Hackney Coach, in the Proportion herein-after mentioned; that is to ſay,

When the Average Price of Oats, computed according to 31 *Geo.* III, Cap. 30, ſhall exceed 25*s. per* Quarter, the Commiſſioners for licenſing Hackney Coaches may cauſe an Addition to be made to the Fares.

Upon every Rate or Fare, amounting to Two Shillings, the additional Sum of Sixpence:

Additional Fares.

Upon every Rate or Fare amounting to Four Shillings, the additional Sum of One Shilling:

And so, in like Manner, upon every Increase of Two Shillings, or any Rate or Fare above the Rate or Fare of Four Shillings aforesaid, the additional Sum of Sixpence for every such Increase of Two Shillings.

Additional Fare not payable unless the Coach be taken the full Distance, or kept in waiting the full Period, for which allowed.

III. Provided always, That such additional Rate or Fare shall not be demandable, or payable or paid, in respect of any such Rate or Fare as aforesaid, unless such Coach shall have been taken the full Distance, or kept in waiting the full Period, which such Coach may be taken or kept respectively, for such Sum of Two Shillings or Four Shillings respectively, or any such further Increase of Two Shillings as aforesaid; which additional Rate or Fare shall and may be recovered in like Manner as any other Rate or Fare for the Hire of any Hackney Coach may be recovered; and such Commissioners, or the major Part of them, shall, whenever they shall think fit to increase such Rates or Fares in Manner aforesaid, publish Notice thereof in the *London Gazette*, specifying in such Notice the Period at which such Increase is to commence, and for which such Increase shall continue, so as that the Period of such Commencement shall be Seven Days at the least from the Time of such Notice being published in the *Gazette*; and it shall be lawful for such Commissioners to continue such Increase of Rates and Fares as aforesaid, until the average Price of Oats, so published as aforesaid, shall be reduced to One Pound and One Shilling a Quarter, and for such further Time, not exceeding Thirty Days, after the average Price of Oats shall be reduced to One Pound and One Shilling *per* Quarter, as they shall see fit.

The Commissioners to publish Notice of Increase of Fares in the *Gazette*; which Increase may be continued till 30 Days after the Average Price of Oats shall be reduced to One Guinea *per* Quarter.

The Commissioners may appoint Inspectors of Hackney Coaches and Horses;

IV. And whereas it is expedient that some Regulations should be made for the Purpose of more effectually compelling Persons licensed to drive, keep, and let to hire Hackney Coaches, to provide safe and clean Coaches, and able and sufficient Horses, and such as shall be fit for the Accommodation of Persons hiring the same; be it therefore further enacted, That it shall be lawful for the said Commissioners, and they are hereby authorized to appoint some proper Person or Persons of competent Skill and Judgement, with such moderate Allowance as the said Commissioners shall think fit for his or their Pains and Trouble, to inspect all Hackney Coaches licensed by such Commissioners as aforesaid, and the Horses which shall be used in drawing the said Coaches; and such Person or Persons shall, Four Times at the least in each and every Year, and also at all Times whenever the Commissioners shall think fit, survey and inspect all Hackney Coaches, and the Horses which shall be used in drawing them, or such and so many of such Hackney Coaches and Horses as they shall be required to survey and examine by such Commissioners, and ascertain and examine the State and Condition of such Hackney Coaches and Horses, and report the same to the said Commissioners; and it shall be lawful for the said Commissioners, and they are hereby authorized to suspend the Licence of any Person or Persons whose Hackney Coach shall be found defective, either in respect of the Safety, State of Repair, or Condition or Cleanliness thereof, or whose Horses shall be deemed unfit or insufficient, and to continue such Suspension of such Licence until the same shall be properly rectified; and if any Person or Persons to whom any such Hackney Coach shall belong, or who shall be licensed to drive, keep, or let such Hackney Coach,

and suspend the Licence of any Person whose Coach shall be defective, or Horses unfit; and may annul Licences if the Inspectors are refused to examine Coaches, &c.

Coach, or any Perſon or Perſons employed by or acting for him or them, ſhall refuſe to permit any Perſon or Perſons, (being ſo appointed by ſuch Commiſſioners as aforeſaid), to ſurvey and examine any ſuch Hackney Coach, or the Horſes uſed in drawing them, or ſhall produce to any ſuch Perſon or Perſons any other Coach than the Coach *bona fide* and ordinarily driven under the Licence granted for that Purpoſe, or the Horſes which they ſhall have ordinarily uſed in or for drawing the ſame, then and in ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized to ſuperſede ſuch Licence, and render the ſame null and void.

Hackney Coachmen, where Coaches are ſtanding in any Place, compellable to go with any Perſon deſirous of hiring them; and in caſe of Refuſal liable to Penalty, unleſs they prove their being hired.

V. And whereas many Hackney Coachmen who are in the Streets with their Coaches, in the Courſe of their Employment withdraw from thoſe Parts of the Streets where they ought to ſtand and ply for Hire, and alſo attend with their Coaches about the Theatres, and Places of Publick Reſort, and under Pretence of being already hired, refuſe to go with Perſons deſirous of hiring ſuch Coaches; be it therefore enacted, That every Hackney Coachman whoſe Coach ſhall be found ſtanding in any Street or Place, and whoſe Coach ſhall not be actually hired, ſhall be deemed and taken to be plying for Hire, although ſuch Coach ſhall not be on any Standing or Place uſually appropriated for the Purpoſe of Hackney Coaches ſtanding or plying for Hire; and every ſuch Coachman who ſhall not be actually hired, ſhall be obliged and compellable to go with any Perſon or Perſons deſirous of hiring ſuch Coach; and if any Complaint ſhall be made to the ſaid Commiſſioners, of the Refuſal of any ſuch Hackney Coachman to go with any Perſon or Perſons deſirous of hiring ſuch Coach, ſuch Hackney Coachman ſhall be obliged to give Evidence of having been and being hired at the Time of the Application made to hire ſuch Hackney Coach; and in caſe any ſuch Hackney Coachman cannot or ſhall not produce ſufficient Evidence of having been ſo then hired as aforeſaid, he or they ſhall be ſubject and liable to ſuch and the like Penalty or Penalties, and Puniſhment, as may by any Act or Acts, or Law or Laws now in being, be impoſed or inflicted in Caſes of Refuſal to carry for Hire by licenſed Hackney Coachmen.

If a Coachman ſummoned for ſuch Refuſal ſhall prove his having been hired, the Commiſſioners to require the Party to make him Satisfaction for Loſs of Time.

VI. Provided always, That in every ſuch Caſe, where any Coachman who ſhall have been ſummoned for any ſuch Refuſal, ſhall produce ſufficient Evidence of having been then hired as aforeſaid, it ſhall be lawful for ſuch Commiſſioners, and they are hereby authorized to require the Perſon who ſhall have ſummoned ſuch Coachman, to make to ſuch Coachman ſuch reaſonable Allowance for his Loſs of Time, as to ſuch Commiſſioners ſhall in their Diſcretion ſeem proper in that Behalf.

The Commiſſioners may require Perſons licenſed to keep Hackney Coaches to enter at their Office the Names and Reſidences of the Drivers, to whom they may grant Leave to

VII. And whereas it is expedient that ſome Proviſion ſhould be made for the better ordering and regulating the Drivers of Hackney Coaches, and alſo the Perſons attending as Watermen and Aſſiſtants at Hackney Coach Standings, and at Places of publick Reſort, be it therefore further enacted, That it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authorized to require all and every Perſon and Perſons licenced to keep, drive, or let to hire any Hackney Coach, to enter, in a Book or Books, to be kept for that Purpoſe at the Office of the ſaid Commiſſioners, the Name and Names, and Reſidence or Reſidences reſpectively, of the Perſon or Perſons driving ſuch licenſed Hackney

drive, and revoke or ſuſpend the ſame, as alſo the Licences for keeping Hackney Coaches of Perſons who ſhall omit to enter the Names of their Drivers, or ſuffer any Perſon not entered to drive.

Coach, and it ſhall thereupon be lawful for the ſaid Commiſſioners to grant Leave in ſuch Manner and Form as they ſhall think fit to ſuch Perſon or Perſons to drive ſuch Hackney Coach; and at any Time or Times upon Complaint made by any Perſon or Perſons, or Information given of any Miſconduct of any ſuch Driver as aforeſaid, or any Complaint made by the Owner of any ſuch Coach or Perſon employing ſuch Driver, to revoke or ſuſpend, for ſuch Time as they ſhall think neceſſary, ſuch Leave; and if any Perſon or Perſons licenſed to keep or let to hire any ſuch Hackney Coach ſhall omit to enter the Name or Names, and Reſidence or Reſidences, of the Driver or Drivers of any ſuch Hackney Coach, or ſhall permit or ſuffer any Perſon or Perſons not ſo duly entered as aforeſaid, and to whom no ſuch Leave ſhall have been granted as aforeſaid, (unleſs for any Period of Time between the Time of any ſuch Driver having left the driving of any ſuch Hackney Coach, and the next Day of Meeting of ſuch Commiſſioners), then and in ſuch Caſe it ſhall be lawful for the ſaid Commiſſioners to revoke or to ſuſpend, for ſuch Time as they ſhall ſee fit, the Licence of ſuch Perſon or Perſons.

Perſons attending as Watermen to Hackney Coachmen, not authoriſed by the Commiſſioners, liable to Penalty.

VIII. And be it further enacted, That, from and after the paſſing of this Act, it ſhall not be lawful for any Perſon to attend at any Hackney Coach Standing, or at any Place of publick Reſort, as a Waterman or Aſſiſtant to Hackney Coachmen, unleſs ſuch Perſon ſhall be authorized under the Hand Writing of the ſaid Commiſſioners ſo to do; and if any ſuch Perſon ſhall preſume to attend as ſuch Waterman or Aſſiſtant as aforeſaid, without being ſo authorized as aforeſaid, he ſhall be liable to ſuch Penalty and Forfeiture for ſo doing, as ſhall be impoſed in that Behalf by the ſaid Commiſſioners, by any Order, Rule, or Ordinance made by them in purſuance of this Act.

The Commiſſioners may make Rules for regulating Hackney Coachmen and Watermen attending them, and annex Penalties for Breach thereof.

IX. And be it further enacted, That the ſaid Commiſſioners for the Time being ſhall have full Power and Authority to make, frame, and ſet down in Writing, ſuch reaſonable Rules, Orders, and Ordinances, for governing and regulating all Perſons who ſhall drive any Hackney Coaches, and alſo all Perſons who ſhall attend as Watermen or as Aſſiſtants to Hackney Coachmen, at any Hackney Coach Standings, or at any Places of publick Reſort, and to annex reaſonable Penalties and Forfeitures for the Breach of ſuch Rules, Orders, and Ordinances, not exceeding Forty Shillings nor leſs than Five Shillings, for any One Offence; and ſuch Rules, Orders, and Ordinances, or any of them, from Time to Time, to alter or amend.

No Perſon ſhall carry Perſons for Hire in a Sedan Chair, (unleſs hired for a Day), within certain Limits, without a Licence, on Penalty of 40 *s.*

X. And be it further enacted, That, from and after the paſſing of this Act, no Perſon or Perſons ſhall preſume to carry any Perſon or Perſons for Hire in any Sedan Chair, (unleſs ſuch Sedan Chair ſhall have been or ſhall be hired by ſuch Perſon or Perſons for the Whole of the Day of Twelve Hours at the leaſt, in which he, ſhe, or they ſhall be carried in ſuch Sedan Chair), within the Cities of *London* or *Weſtminſter*, or the Suburbs of the ſame, or within any of the Pariſhes or Places comprized within the Weekly Bills of Mortality, without having firſt obtained a Licence for ſuch carrying a Hackney Chair from the Commiſſioners for licenſing and regulating Hackney Coaches and Chairs; and if any Perſon ſhall offend herein, he ſhall forfeit for every ſuch

Offence the Sum of Forty Shillings, to be recovered, levied, and applied, as any Penalty or Fine may by any Act or Acts, or Law or Laws now in force, be recovered, levied, and applied, for the carrying any Perſon or Perſons in any Hackney Chair for Hire within the ſame Cities, Suburbs, or Places, without ſuch Chairman or Carrier being licenſed by the Commiſſioners aforeſaid.

Hackney Coachmen exacting more than their Fare, liable to the Penalties, and the Fares recoverable, as by the Laws now in being.

XI. And be it further enacted, That if any ſuch Hackney Coachman, his Renter or Driver, ſhall exact or take more for his or their Hire than the ſeveral Rates hereby limited, he or they ſhall for every ſuch Offence be ſubject and liable to ſuch and the like Penalties, Forfeitures, and Puniſhments, to be levied, recovered, ſuffered, and inflicted by ſuch Perſons, and in ſuch and the like Manner and Form, as by any Law or Laws now are in being reſpecting ſuch Hackney Coachmen, their Renters or Drivers; and that the ſeveral Rates and Fares herein-before mentioned ſhall and may be recovered in ſuch and the like Manner as the Fares of Hackney Coachmen are by any Act or Acts of Parliament now recoverable.

In caſe of Arrears of Rent made payable by Licences, they may be revoked, and the Arrears levied either upon the Owner or Renter.

XII. And be it further enacted, That if any Hackney Coachmen, his, her, or their Renter or Renters, ſhall, from and after the paſſing of this Act, be in Arrear of Payment of any Rent or Rents, reſerved or made payable by any Licence or Licences granted, or to be hereafter granted by the ſaid Commiſſioners, or the major Part of them, for any longer Time than is or ſhall be expreſſed in ſuch Licence or Licences, it ſhall and may be lawful to and for the ſaid Commiſſioners, or the major Part of them, to revoke ſuch Licence or Licences, and to levy the Rents and Sums of Money reſerved, and thereby made payable, either upon the Goods and Chattels of ſuch Owner or Owners, or Renter or Renters, in ſuch and the like Manner and Form, as they may by any Law now in being do with reſpect to ſuch Owner or Owners.

General Iſſue may be pleaded.

Treble Coſts.

XIII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time or Times be ſued, moleſted, or proſecuted for any Thing by him or them done or executed in purſuance of this Act, or of any Clauſe, Matter, or Thing, herein contained, ſuch Perſon and Perſons ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, for his and their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him or them againſt ſuch Plaintiff or Plaintiffs.

LONDON: Printed by George Eyre and Andrew Strahan, Printers to the King's moſt Excellent Majeſty. 1800.