ANNO QUINQUAGESIMO QUARTO

GEORGII III. REGIS.

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C A P. CXLVII.

An Act for the better Regulation of the Drivers of Licensed Hackney Coaches; for explaining and amending an Act passed in the Forty-eighth Year of His present Majesty, relating to Hackney Coaches; and for authorising the licensing of a limited Number of Hackney Chariots.

[28th *July* 1814.]

WHEREAS great Frauds are daily practised, by the Drivers of licensed Hackney Coaches, upon their Employers the Owners thereof, by concealing and withholding from them the fair and full Earnings of their Coaches, whereby the said Owners are rendered the less able to discharge the Weekly Rent due to His Majesty on their respective Licences: And whereas no sufficient Check hath yet been devised or enacted for the Prevention of such Frauds: May it therefore please Your Majesty that it may be enacted and declared; and be it therefore enacted and declared 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 within One Month from and after the passing of this Act, every Person who now is or shall hereafter be licensed by the Commissioners for licensing and regulating Hackney Coaches for the Time being, or the major Part of them, to drive, keep, and let to Hire by Time or Distance, any Hackney Coach with Horses, Geldings, or Mares, within the Cities of *London* and *Westminster*, and the Suburbs of the same respectively,

Drivers of Hackney Coaches to have a sufficient Number of Tickets marked 1s. and 1s. 6d.

respectively, and within the Parishes and Places comprized within the Weekly Bills of Mortality, or any other Place or Places within which by any of the Laws now in force such Hackney Coachmen are compellable to go or to drive their Coaches, shall (and he is so hereby directed), before he shall presume on any Occasion to drive or let to Hire, or cause to be driven or let to Hire his Hackney Coach, provide himself, or the Driver whom he shall employ, through the Means and under the Direction of the said Commissioners, and at his own Expence, a sufficient Number of Notes or Tickets, on which shall be printed His Majesty's Arms, together with the Words "Hackney Coach Office," and the Number of his Coach or Chariot, together with the Name and Residence of the Proprietor and Driver of such Coach or Chariot, as also the Year and the Month, with Blanks left for the Day of the Month (to be afterwards, but before the same shall be used as herein-after directed, filled up and supplied in Writing by such licensed Owner) on which such Coach shall be driven or let to Hire, and on some of which Notes or Tickets shall also be printed in Words or Figures, the Sum of One Shilling, and on others in Words or Figures the Sum of One Shilling and Sixpence.

Tickets to be delivered corresponding to the Amount of the Fare.

II. And be it further enacted, That before any Driver (whether he be the Owner or not) of any such licensed Hackney Coach shall be entitled to receive or be paid the Amount of his Fare on any Occasion of his Coach being hired, he shall deliver (whether the same shall be required or not) to the Person (or if there shall be more than One in Company, then to One of such Persons) whom he shall have driven in his Coach, so many of such Notes or Tickets, so properly filled up, as shall or may by the Sums printed thereon make up the aggregate and full Amount of such his Fare.

No Complaint to be heard without Production of Tickets.

III. And, for the better carrying into Effect the Purposes of this Act, it is hereby further enacted, That no Person or Persons who shall have hired any such Hackney Coach, shall be entitled to any Redress, or to be heard on any Complaint or Information which he may exhibit either before the said Commissioners, or before any Justice of the Peace, or other Person or Persons having competent Jurisdiction in such Cases, under or by virtue of any Laws relating to Hackney Coaches licensed by the said Commissioners; whether any such Complaint or Information be for Exaction, or for Misbehaviour, or for any other Offence whatsoever, unless he, she, or they shall and do, previous to entering upon the hearing thereof, produce and shew forth to the Person or Persons so having competent Jurisdiction, before whom any such Complaint or Information shall have been exhibited, some One or more of the said Notes or Tickets which he shall have received, or might and ought to have received by virtue of this Act.

Number of the Coach marked on the Ticket to be Evidence.

IV. And, for the better Security of the Public against the Insolence and Exaction of Hackney Coach Drivers, and as an Encouragement to Persons hiring such Hackney Coaches to require and to receive the Notes or Tickets herein-before directed to be used; be it further enacted, That the Number of the Coach marked on such Notes or Tickets so to be produced on the hearing of any such Complaint or Information, shall and may be received (where the Evidence as to the Number of the Coach may be otherwise defective) as auxiliary and corroborative, but not as indisputable and conclusive Evidence of Identity.

Commissioners to appoint a Printer for printing the Tickets.

V. And be it further enacted, That the said Commissioners shall have Power, and they are hereby directed and required, by Deputation under the Seal of Office and Hands of the said Commissioners, or the major Part of them, to nominate, appoint, and employ such Person as they shall deem proper, being a Printer by Trade, to prepare and print such Notes or Tickets as are herein-before directed to be used; and no other Printer or other Person whatever than the Person so appointed shall presume to prepare and print, or cause to be prepared and printed, any such Notes or Tickets, or the Semblance of such Notes or Tickets, under the Penalty of Three hundred Pounds, to be recovered and applied as herein-after mentioned.

No other Person to print them on Penalty of 300l.

Printer to deliver the Tickets to Persons producing the Order of the Commissioners.

VI. And be it further enacted, That such Printer so duly appointed shall not furnish or deliver to any Person or Persons whatever, any Note or Ticket, or Number or Parcel of Notes or Tickets, unless the Person or Persons applying to him for the same shall produce unto him an Order written or printed, and signed by the said Commissioners, or One of them, or by their Chief Clerk for the Time being, whereon shall be written or printed the Number of the Coach for which the Notes or Tickets shall be required, together with the Quantity or Number of the Notes or Tickets so required; and he is hereby authorized and directed, upon the Production of such Order, to deliver to the Person or Persons producing the same, the Number of Notes or Tickets as expressed in such Order accordingly, and to charge for the same after such Rate as the said Commissioners shall direct for every Hundred; and if the Printer so duly appointed to prepare and print such Notes or Tickets shall deliver the same Notes or Tickets, or any Number or Parcel thereof, to any Person or Persons without the Production of such Order as herein-before directed, he shall forfeit and pay for every such Offence the Sum of Fifty Pounds, to be recovered and applied as herein-after mentioned.

Penalty, 50l.

Penalty on forging Tickets.

VII. And be it further enacted, That if the Owner or Driver of any Hackney Coach, licensed by the said Commissioners or any other Person, shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, any Note or Ticket, or any Order for any Number of Notes or Tickets, by this Act authorized and directed to be used, or shall produce or shew or deliver any such false, forged, or counterfeited Note or Ticket or Order, for any of the Purposes aforesaid, every such Person so offending shall, if he be the hired Driver of any Hackney Coach licensed by the said Commissioners, for every Offence suffer as a common Vagrant, and be committed to the House of Correction; and every such Person so offending, being the Owner of an Hackney Coach licensed by the said Commissioners or other Person (not being the hired Driver only of such Hackney Coach) so offending, shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to be recovered and applied as herein-after mentioned.

Imprisonment not to be more than a Year, nor less than Six Months.

VIII. Provided always, and be it further enacted, That no Driver of any such licensed Hackney Coach committed to any Gaol or House of Correction for any such last-mentioned Offence against this Act, shall be detained therein for any longer Space of Time than One Year, nor for any less Period of Time than Six Months.

IX. And

Driver to account to his Employer for the Number of the Tickets entrusted to him, and in lieu of Wages may deduct 2d. for every Shilling earned.

IX. And whereas it will be for the Advantage both of the Owner and Driver, that the regular Wages as and in Manner heretofore paid to the Drivers of licensed Hackney Coaches by the Owners thereof should be altogether discontinued, and that another Mode of Remuneration should be adopted, for such their mutual Benefit; be it therefore further enacted, That the Driver (not being the Owner) of every Hackney Coach licensed by the said Commissioners, on every Occasion of his Return home with his Coach, and on being so required, shall account to his Master or Employer for the whole Number of the Tickets which shall have been entrusted to him by his said Master or Employer, by returning such as he shall not have had Occasion to use, as herein-before directed, and by Payment of the full Amount of such as he shall have regularly disposed of, and for which he shall have received, or ought to have received, an Equivalent in Money; and in lieu of Wages, and for his Encouragement to be diligent and honest, and as a Compensation for his Labour and Trouble, he shall be entitled to deduct for his own Use, or to receive and be paid by his said Master or Employer, Two-pence out of every Shilling which he shall have earned, and shall account for in Manner aforesaid; and it shall be lawful for the Commissioners for licensing and regulating Hackney Coaches, or the major Part of them, to increase or diminish the Allowance of Two-pence in every Shilling herein-before mentioned, from Time to Time, when and as they shall see fit and proper; any Thing herein-before contained to the contrary notwithstanding.

Penalty on Drivers not faithfully accounting to their Employers.

X. Provided always, and be it further enacted, That if any such Driver as aforesaid shall refuse or neglect to return, or well and truly and faithfully to account to his said Master or Employer in Manner aforesaid, for every Note or Ticket which shall have been entrusted to him as herein-before directed; then and in every such Case he shall be liable to his said Master or Employer for the Amount of the Sum expressed upon every such Note or Ticket which he shall not properly account for or return, and shall besides forfeit a Penalty not exceeding Three Pounds nor less than Twenty Shillings, to be levied and recovered as any Penalty may be levied and recovered under and by virtue of any Act of Parliament relating to Hackney Coaches, licensed by the said Commissioners, and for Non-payment thereof shall suffer as a common Vagrant, and be committed to the House of Correction for a Time not exceeding Three Months nor less than One Month.

Penalties not exceeding 3l. how to be levied, &c.

XI. And be it further enacted, That all pecuniary Penalties and Forfeitures not exceeding the Sum of Three Pounds, and also all Punishments by Commitment to any Gaol or House of Correction, to be levied and recovered, suffered and inflicted under and by virtue of this Act, shall and may be levied, recovered, and inflicted in such and the like Manner and Form, and by such Persons as by any Law or Laws now in force respecting Hackney Coaches licensed by the said Commissioners.

Penalties amounting to 50l. how to be levied.

XII. And be it further enacted, That all pecuniary Penalties which shall be incurred under this Act, and shall amount to the Sum of Fifty Pounds or more, shall be sued for and recovered under the Direction of the said Commissioners, in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoign, Protection, Privilege, Wager of Law, or more than One Imparlance shall be allowed;

and it shall not be lawful for any Person or Persons whatsoever to commence, prosecute, enter, or file, or cause or procure to be commenced, prosecuted, entered, or filed any Action, Bill, Plaint, or Information in any of His Majesty's Courts at *Westminster*, against any Person or Persons for the Recovery of any Fine, Penalty, or Forfeiture incurred by virtue of this Act, unless the same be commenced, prosecuted, entered, or filed in the Name of His Majesty's Attorney General, or in the Name of the Solicitor for the Time being, or of some other Officer of the Commissioners of Hackney Coaches; and if any Action, Bill, Plaint, or Information shall be commenced, prosecuted, entered, or filed in the Name or Names of any other Person or Persons than is or are in that Behalf before mentioned, the same and every Proceeding thereupon had are hereby declared and the same shall be null and void to all Intents and Purposes.

XIII. And be it further enacted, That all pecuniary Penalties hereby imposed shall be divided and distributed, One Moiety thereof to His Majesty, His Heirs and Successors, and the other Moiety thereof with full Costs of Suit to the Person or Persons who shall inform and sue for the same. One Half of Penalties to the King, and the other to the Informer.

XIV. And whereas under and by virtue of a certain Act of Parliament made and passed in the Forty-eighth Year of the Reign of His present Majesty, 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;* it was provided, that an Hackney Coachman should be obliged and compelled to carry Four adult Persons inside his Coach, and a Servant outside if required, at one and the same Time, and that he should not be compellable to carry above that Number, but that if he should agree to take above that Number, he should be entitled to demand and receive for every such additional adult Person whom he should so agree to carry, and should carry, One Shilling over and and above the regular Fare; or if he should have been hired to drive into the Country, and should drive thither, and there should wait, and should return with any such additional adult Person, he should be entitled to demand and receive for every such additional adult Person whom he should so agree to carry, and should carry into the Country, and after waiting return with, One Shilling for going, and One Shilling for returning, over and above his regular Fare: And whereas Doubts have arisen as to what shall be termed an Agreement to carry, and also as to the Word Adult in the said Act; be it therefore enacted, That from and after the passing of this Act every Hackney Coachman may refuse to carry more than Four adult or grown-up Persons, (and not being Children in Arms or Lap) in his Coach, and a Servant outside, at one and the same Time, and shall not at any Time be compellable to carry above that Number of such Persons; but if he shall agree to carry, or shall actually carry above that Number of such Persons in his Coach at one and the same Time, he shall be entitled to demand, and to receive and be paid for every such additional Person, of whatever Age he or she may be (not being a Child in Arms or Lap), whom he shall so agree to carry, or shall actually carry, One Shilling over and above the regular Fare, under the Circumstances and as allowed by the said Act. 48 G. 3. c. 87. Limiting the Number of Persons to be carried.

XV. And whereas under and by virtue of Three several Acts of Parliament made and passed in the Ninth Year of the Reign of Her late

Majeſty Queen *Anne*, in the Eleventh and in the Forty-ſecond Years of the Reign of His preſent Majeſty reſpectively, One thouſand one hundred Hackney Coaches are authorized to be licenſed to be employed within the Cities of *London* and *Weſtminſter*, and the Suburbs thereof, and within all and every the Pariſhes and Places comprized within the Weekly Bills of Mortality: And whereas it would contribute to the Public Convenience to reduce the ſaid Number of licenſed Hackney Coaches, and in lieu of the Number to be ſo reduced, to allow an equal Number of Hackney Chariots, to go or be driven for Hire within the Cities of *London* and *Weſtminſter*, and the Pariſhes and Places within which licenſed Hackney Coaches are now by Law compellable to go or to be driven; be it therefore enacted, That from and after the paſſing of this Act, the Commiſſioners for licenſing and regulating Hackney Coaches for the Time being, ſhall have Power and Authority, and are hereby authorized and empowered, under their Hands and Seals, or under the Hands and Seals of the major Part of them from Time to Time, as Opportunity ſhall occur by Vacancy in the Number of licenſed Hackney Coaches, and as and when in their Diſcretion they ſhall ſee fit, to licenſe a limited Number of Hackney Chariots, ſo as the Number of ſuch Chariots do not exceed at any one Time the Number of Two hundred, and ſo as the Aggregate Number of Carriages, licenſed or to be licenſed by virtue of the ſaid former Acts and this preſent Act (whether Coach or Chariot) ſhall not at any One Time exceed the already authorized Number of One thouſand one hundred; and that upon every One of the Licences ſo to be granted in purſuance of this Act, there ſhall be reſerved and made payable unto His Majeſty, His Heirs and Succeſſors, the like reſpective Weekly Sums of Five Shillings, as is now payable upon any Licence granted before the paſſing of this Act for any Hackney Coach; to be paid from the Commencement of every ſuch Licence during the Continuance thereof reſpectively, in like Manner, and under like Penalties, Covenants, Conditions and Proviſoes therein to be inſerted, as in other Licences granted in purſuance of the ſeveral Acts now in force relating to Hackney Coaches; and that the ſame Hackney Chariots ſo hereby authorized to be licenſed, and the Perſons to be licenſed to drive or keep the ſame, ſhall in reſpect thereof have the ſame Rates and Benefits, and be ſubject and liable to all the ſame Orders, Rules, Regulations, Bye Laws, Penalties, Forfeitures, Matters and Things as are and were lawfully preſcribed in relation to any Perſons licenſed to keep or drive Hackney Coaches, and the Renters of ſuch Licences, and Drivers of ſuch Coaches, before the paſſing of this preſent Act, and as are preſcribed by this preſent Act, (other than ſo far as the ſame is, are, or ſhall be inconſiſtent with, or contradictory or repugnant to any Thing in this Act contained, and other than in ſuch caſes for which different Proviſions are herein preſcribed); and that all Perſons who ſhall preſume to drive, or let to Hire by the Hour or Day, or otherwiſe, any Hackney Chariot, or Chariot Horſes, or to carry any Perſon or Perſons for Hire, in any Hackney Chariot within the Cities of *London* and *Weſtminſter*, or the Suburbs of the ſame, or within any of the Pariſhes or Places compriſed within the Weekly Bills of Mortality, without ſuch Leave or Licence as aforeſaid, ſhall be liable to all ſuch Forfeitures and Penalties as are or may be impoſed by any Act or Acts of Parliament relative to Hackney Coaches.

Commiſſioners may licence 200 Hackney Chariots, but not to exceed in Coaches and Chariots the authorized Number of 1,100.

Chariots to pay the weekly Sum of 5s.

XVI. And

XVI. And it is hereby declared and enacted, That all the Monies to arise by Rents of the said Hackney Chariots so hereby authorized to be licensed, shall be subject and applicable to the like Uses and Purposes, and under the like Penalties as the Rents upon Hackney Coaches are applicable and appropriated by Parliament. Application of the Money arising by Rents of Chariots.

XVII. And be it further enacted, That every Hackney Chariot Driver may refuse to carry more than Two adult or grown-up Persons (and not being Children in Arms or Lap) in his Chariot, and a Servant outside, at one and the same Time, and shall not at any Time be compellable to carry above that Number; but if he shall agree to carry or shall actually carry above that Number of such Persons in his Chariot at any one Time, he shall be entitled to demand and to receive and be paid for every such additional Person (of whatever Age he or she may be, not being a Child in Arms or Lap) whom he shall so agree to carry or shall actually carry, One Shilling over and above the regular Fare; or if he shall have been hired to drive into the Country, and shall drive thither, and there shall wait and shall return with any such additional or extra Person, he shall be entitled to demand and receive for every such additional Person whom he shall so agree to carry, or shall actually carry into the Country, and after waiting return with, One Shilling for going, and One Shilling for returning, over and above his regular Fare. Limiting the Number of Persons to be carried in the Hackney Chariot.

XVIII. 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 or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become non-suited, or Judgement shall be recovered against him or them upon Demurrer, or if the Plaintiff or Plaintiffs shall discontinue his, her, or their Action, or be non-prossed therein, then such Defendant or Defendants shall have Treble Costs awarded to him or them against such Plaintiff or Plaintiffs. Persons sued may plead the General Issue.

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