ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. CLIX.

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.

[11th *July* 1815.]

WHEREAS an Act was paſſed in the Fifty-fourth Year of the Reign of His preſent Majeſty, intituled *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 authorizing the licenſing of a limited Number of Hackney Chariots:* And whereas the Proviſions in the ſaid Act contained, for providing and delivering Tickets, have been found inexpedient; 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, ſo much of the ſaid recited Act as relates to the providing of Tickets, as in the ſaid Act mentioned, or delivering any ſuch Tickets to Perſons paying Fares, or as prohibits Complaints unleſs Tickets are produced, or accounting for any ſuch Tickets, and all Proviſions, Regulations, Penalties and Forfeitures in the ſaid Act contained, in relation to ſuch Tickets, ſhall be and the ſame is and are hereby repealed. 54 G. 3. c. 147. So much of ſaid Act as relates to delivering of Tickets, &c. repealed.

II. And whereas the Hackney Chariots which have been licenſed under the ſaid recited Act of the laſt Seſſion of Parliament have been found very uſeful 200 more Chariots may be licenſed.

useful and convenient, and it is expedient to allow of an additional Number of such Chariots; be it therefore enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered, with the Consent of the Lords Commissioners of His Majesty's Treasury, or any Three of them, to licence any additional Number of Hackney Chariots not exceeding Two Hundred, over and above the said Number of Two Hundred in the said recited Act mentioned, and in Addition to the Number of Hackney Coaches allowed to be licensed, as and when in their Discretion they shall see fit.

Regulation as to the Number of Persons to be carried.

III. And be it further enacted, That no Owner or Driver of any Hackney Chariot shall be compellable or compelled to carry more than Three Persons, (not being Children in Arms or Lap) in his Chariot, and a Servant on the Outside at the same Time, but every Owner or Driver of any Hackney Chariot who shall actually carry any greater Number shall be entitled to demand and to receive for every such additional Person (not being a Child in Arms or Lap), the Sum of One Shilling, over and above his regular Fare; and if he shall carry any such additional Person into the Country, and bring the same or any other additional Person back again, shall be entitled to demand and receive, over and above his regular Fare, the Sum of One Shilling for going into the Country, and the Sum of One Shilling for returning; any Thing in any Act or Acts of Parliament relating to Hackney Coaches to the contrary notwithstanding.

Power to license Carriages with Two Wheels drawn by One Horse.

IV. And be it further enacted, That it shall be lawful for the Commissioners for licensing and regulating Hackney Coaches, by and with the Approbation and Direction in Writing of the Lords Commissioners of His Majesty's Treasury, or any Three or more of them, and they are hereby authorized and empowered under their Hands and Seals to license such Number of Carriages with Two Wheels and drawn by One Horse, as shall be specified in any such Approbation and Direction as aforesaid; and the Owners and Drivers of such Two Wheeled Carriages shall be chargeable and charged with the like Sum for Licences as are now payable for Licences for Hackney Coaches, and shall be entitled to demand, take, and receive Two-thirds of the Amount of the Fares, Rates, and Benefits established by Law for Hackney Coaches and Chariots; and no Owner or Driver of any such Two Wheeled Carriage shall be compellable to carry more than Two Persons; and all Orders, Rules, Regulations, Bye Laws, Penalties, Forfeitures, Clauses, Provisions, Matters, and Things, contained in any Act or Acts of Parliament relating to Hackney Coaches or Chariots in the Cities of *London* and *Westminster* shall extend and apply to and be put in force in Relation to all such licensed Carriages, and the Owners and Drivers thereof, and to all Persons using the same, in like Manner in every Respect, and as fully and effectually, as if the same were in this Act severally and respectively re-enacted and repeated in Relation to such Carriages, and as if the said Carriages had been included in the said Acts.

48 G. 3. c. 87.

V. And whereas by an Act passed in the Forty-eighth Year of the Reign of His present Majesty relating to Hackney Coaches, Hackney Coachmen are authorized to demand certain Fares over and above the ordinary and established Fares, where Hackney Coaches are hired and driven into the Country after certain Hours, as in the said Act mentioned: And whereas it is expedient that such additional Fares should be repealed, and other

Fares ſubſtituted in lieu thereof; be it therefore enacted, That from and after the paſſing of this Act ſuch additional Fares ſhall be and the ſame are hereby repealed, and that from henceforth the ſeveral additional Fares aftermentioned ſhall be payable and paid; that is to ſay, in caſe any Hackney Coach or Chariot ſhall be hired in any Part of the Cities of *London* and *Weſtminſter*, or the Suburbs thereof, the Borough of *Southwark*, or any Place adjoining thereto, where there is a regular Continuation of Carriageway Pavement, or at any Standing for Hackney Coaches or Chariots beyond any ſuch regular Continuation of Carriageway Pavement, and diſcharged after the Hour of Seven in the Evening, between the Periods of *Michaelmas Day* and *Lady Day*, and after the Hour of Nine in the Evening between the Periods of *Lady Day* and *Michaelmas Day*, at any Place where there is not a regular Continuation of Carriageway Pavement as aforeſaid, there ſhall or may be demanded over and above the ordinary and eſtabliſhed Fare, the full Rate or Fare allowed by the ſaid recited Act, to the neareſt Extremity of continued Carriageway Pavement, or to any Standing for Hackney Coaches or Chariots beyond any ſuch regular Continuation of Carriageway Pavement, where ſuch Coach or Chariot ſhall have been hired, at the Option of the Perſon diſcharging ſuch Coach or Chariot; and in caſe any Hackney Coach or Chariot ſhall be hired and driven into the Country, and then diſcharged in the Day-time, and not after the Hours herein-before reſpectively mentioned, there ſhall or may be demanded, for the Return thereof to the neareſt Extremity of continued Carriageway Pavement, or to any Standing for Hackney Coaches or Chariots beyond any ſuch regular Continuation of Carriageway Pavement where ſuch Coach or Chariot ſhall have been hired, at the Option of the Perſon diſcharging ſuch Coach or Chariot, for each and every Mile above the Number of Four Miles, the additional Rate or Fare of Sixpence: Provided nevertheleſs, no ſuch Allowance for Return ſhall be made for any leſſer Diſtance than Four Miles, calculated as aforeſaid.

So much of 48 G. 3. c. 87. as relates to additional Fares when driven into the Country, repealed; and other Fares ſubſtituted.

VI. And whereas by the Laws now in force, Authority is given to Juſtices of the Peace to award Satisfaction, in caſe of Perſons refuſing or omitting to pay to Coachmen or Chairmen the Money due for the Hire of their Coaches, or wilfully injuring ſuch Coaches or Chairs, and to iſſue their Warrants for bringing ſuch Perſons before them, but no Authority is given to enforce the Payment of ſuch Satisfaction ſo awarded, and it is expedient that ſuch Authority ſhould be given; be it therefore enacted, That if any Perſon ſhall refuſe or omit to pay the Driver of any Hackney Coach or Chariot, or any Chairman, the Money juſtly due to him for the Hire of the Coach or Chariot or Chair hired, or ſhall wilfully deface or in any Manner injure the ſame, it ſhall and may be lawful for any Juſtice of the Peace upon Complaint thereof to grant a Summons, or if it ſhall appear to him neceſſary a Warrant, for bringing before him the offending Party or Parties, and upon Proof made upon Oath to award reaſonable Satisfaction to the Party ſo complaining for his Damage and Coſts, and alſo a reaſonable Compenſation for the Loſs of Time on his Attendance in eſtabliſhing ſuch Complaint, and upon Refuſal to pay or make ſuch Satisfaction, to commit ſuch Perſon or Perſons to Priſon, there to remain for any Time not exceeding One Month, or until the Amount of ſuch Satisfaction ſhall be paid and diſcharged.

Where Perſons refuſe to pay the Driver his Fare, or for Damages, Juſtices may grant Summons or Warrant.

VII. And

Commiſſioners for regulating Hackney Coaches to regulate the numbering of Coaches and Chariots.

VII. And be it further enacted, That it ſhall and may be lawful for the Commiſſioners for regulating Hackney Coaches, or the major Part of them, to direct and regulate the Number or Numbers and Mode or Modes of Diſtinction, as well interior as exterior, to be adopted and uſed by each Coach and Chariot, and from Time to Time to make ſuch Orders and Regulations in reſpect to ſuch numbering or marking, as to them ſhall ſeem expedient; and every Owner of any Hackney Coach or Chariot, who ſhall neglect or refuſe to comply therewith, ſhall be ſubject to the Revocation of his Licence, or ſhall forfeit and pay any Sum not exceeding Ten Pounds, at the Diſcretion of the ſaid Commiſſioners, or the major Part of them; and in caſe of Non-payment, the ſame may be levied by Diſtreſs on his, her or their Goods and Chattels.

Commiſſioners to hear and determine Complaints between Owners and Drivers of Hackney Coaches.

VIII And be it further enacted, That upon any Complaint of the Owner of any Hackney Coach or Chariot licenſed by the ſaid Commiſſioners againſt his or her Driver, or of a Driver againſt his Maſter, it ſhall be lawful for the ſaid Commiſſioners or the major Part of them, and they are hereby empowered to enquire into the ſame, and to determine therein, and to award ſuch Compenſation to be made as to them reſpectively ſhall ſeem proper; and to puniſh any ſuch Owner or Driver, by inflicting any Penalty not exceeding Ten Pounds, and in caſe of Non-payment the ſame may be levied by Diſtreſs on his, her, or their Goods or Chattels.

Drivers of Hackney Coaches wherein any Property ſhall be left, to carry the ſame to the Hackney Coach Office within a certain Time, or be ſubject to a Penalty.

IX. And be it further enacted, That every Driver in whoſe Coach or Chariot any Property whatever ſhall be left, by any Perſon or Perſons hiring the ſame, and who ſhall not carry ſuch Property within Four Days after the ſame ſhall have been ſo left, in the State in which it was found, to the Hackney Coach Office, and depoſit the ſame with one of the Clerks of the ſaid Office, ſhall be ſubject and liable to a Penalty not exceeding Twenty Pounds, at the Diſcretion of the ſaid Commiſſioners, or the major Part of them; and the Clerk with whom ſuch Property is depoſited is hereby required to give a Receipt for the ſame, and to make an Entry in a Book to be kept at the ſaid Office, of the Deſcription thereof, the Name and Addreſs of the Driver bringing the ſame, and the Day on which it is brought; and the Property ſo entered ſhall be returned to the Perſon or Perſons reſpectively, who ſhall prove to the Satisfaction of the ſaid Commiſſioners, or the major Part of them, that the ſame belonged to him, her, or them, ſuch Perſon or Perſons 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 nevertheleſs, that if ſuch Property ſhall not be proved to belong to ſome Perſon or Perſons within One Year, the ſame having been advertized in ſuch Manner as the ſaid Commiſſioners may direct, ſuch Property ſhall be ſold; and after deducting from the Produce of the Sale all the Expences incurred, the Balance ſhall be paid to the Driver who depoſited the ſame.

No Agreement to pay more than the eſtabliſhed Fare to be binding.

X. And be it further enacted, That no Agreement or Engagement whatever, at any Time or on any Occaſion made with the Driver of any Hackney Coach or Chariot, for the Payment of more than his eſtabliſhed Fare, ſhall be binding on the Perſon or Perſons making the ſame, but any ſuch Perſon or Perſons may, notwithſtanding any ſuch Agreement or En-

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gagement, refuſe, on diſcharging ſuch Coach or Chariot, the Payment of any Sum beyond the eſtabliſhed Fare; and in caſe ſuch Perſon or Perſons ſhall actually pay to the Driver of any Hackney Coach or Chariot, whether in purſuance of any ſuch Agreement or Engagement, or not, any Sum exceeding his eſtabliſhed Fare, which ſhall have been demanded or required by ſuch Driver, the Perſon or Perſons paying the ſame ſhall be entitled, on Complaint againſt ſuch Driver, to recover the Overplus paid; and ſuch Driver ſhall be ſubject and liable to a Penalty not exceeding Five Pounds, to be levied in caſe of Non-payment by Diſtreſs upon the Goods and Chattels of the Offender.

Puniſhing Hackney Coachmen for leaving their Coach unattended.

XI. And be it further enacted, That in caſe any Driver of any Hackney Coach or Chariot ſhall leave his Coach or Chariot at any Theatre or other Place of Public Reſort or Entertainment unattended, whether he ſhall be hired or not, it ſhall and may be lawful for any Inſpector of Hackney Coaches, Officer of Police, Conſtable or other Peace Officer, Watchman or Patrole, to drive away ſuch Coach or Chariot, and depoſit the ſame at the neareſt Place of Depoſit; and the Driver of ſuch Hackney Coach ſhall be ſubject and liable to a Penalty not exceeding Five Pounds, to be levied in caſe of Non-payment, by Diſtreſs upon the Goods and Chattels of the Offender.

Drivers not to refuſe a Fare although they may have been out Twelve Hours.

XII. And whereas by the Laws now in force, the Drivers of Hackney Coaches are allowed after they have been out with their Coaches Twelve Hours, to refuſe to go with Perſons deſirous of hiring their Coaches: And whereas, this Permiſſion is frequently made the Plea for Extortion, and is otherwiſe inexpedient; be it therefore enacted, That from and after the paſſing of this Act no Driver who ſhall ply for Hire ſhall refuſe, on the Pretext of having been out Twelve Hours, (although he may have been out that Time), to go with any Perſon or Perſons deſirous of hiring his Coach or Chariot, in any Direction, or to any Diſtance preſcribed by Law, at the eſtabliſhed Fares.

Commiſſioners or Juſtices may ſummon, on Complaint, Owners, Drivers, Aſſiſtants, or Watermen, before them.

XIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners for the Time being, or the major Part of them, or any Juſtice or Juſtices of the Peace, when it may appear to them neceſſary, upon any Complaint being lodged before them againſt any Owner or Driver of any Hackney Coach or Chariot, or againſt any Waterman or Aſſiſtant to Hackney Coachman, or againſt any Chairman, to iſſue their Summons for the Appearance before them, or their Warrant for the Apprehenſion of ſuch Owner, Driver, Waterman, or Chairman, to be examined touching the ſaid Complaint, or to anſwer the ſame, as the Caſe may be.

Puniſhing Drivers of Hackney Coaches, Chairmen, or Watermen for uſing abuſive Language, or obſtructing Police Officers, &c.

XIV. And be it further enacted, That every Driver of any Hackney Coach or Chariot, or any Chairman or Waterman, who ſhall make uſe of any abuſive or inſulting Language, or other rude Behaviour, or who ſhall obſtruct any Inſpector of Hackney Coaches, Officer of Police, Conſtable, or other Peace Officer, Watchman, or Patrole, in the Execution of his Duty, and who ſhall on Complaint being made before any Juſtice of the Peace, or the Commiſſioners of the Hackney Coaches, or the major Part of them, be convicted of the ſame, ſhall be ſubject and liable to a Penalty, at the Diſcretion of ſuch Juſtice or Juſtices, or Commiſ-

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ſioners as aforeſaid, not in any Caſe exceeding Ten Pounds; and in Default of the Payment of ſuch Penalty ſo to be awarded, to be committed to Priſon for a Period not in any Caſe exceeding Two Months.

Application of Penalties.

XV. And be it further enacted, That all pecuniary Penalties and Forfeitures to be recovered under this Act, or under any former Act or Acts of Parliament in force relating to Hackney Coaches, ſhall be applied, One Moiety thereof to His Majeſty, His Heirs and Succeſſors, and the other Moiety to the Informer; any Law, Uſage or Cuſtom to the contrary notwithſtanding.

Penalties of former Acts to continue in force.

XVI. And be it further enacted, That all Pains, Penalties, Fines and Forfeitures, of whatſoever Nature the ſame may be, for any Offence whatever committed againſt or in Breach of any Act or Acts of Parliament relating to Hackney Coaches, in force on or immediately before the paſſing of this Act, and the ſeveral Clauſes, Powers, Proviſions, and Regulations contained in any ſuch Act or Acts (unleſs where expreſsly altered by this Act) ſhall be, and the ſame are hereby declared to continue in as full Force and Effect as if this Act had not been made.

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