

ANNO PRIMO & SECUNDO

VICTORIÆ REGINÆ.

****

CAP. LXXIX.

An Act for the better Regulation of Hackney Carriages, and of Metropolitan Stage Carriages, and of Waggons, Carts, and Drays, used in and near the Metropolis, and of the Drivers and Attendants thereof. [10th *August* 1838.]

WHEREAS it is expedient that the Drivers of Hackney Carriages and the Drivers and the Conductors of Metropolitan Stage Carriages in and near the Metropolis, and the Watermen at Standings for Hackney Carriages, should be licensed, and that further Provisions should be made for the Regulation of such Hackney Carriages and Metropolitan Stage Carriages, and the Drivers, Conductors, Watermen, and Attendants thereof: Be it therefore enacted by the Queen'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 the Words and Expressions hereinafter mentioned, which in their ordinary Signification have a more confined or a different Meaning, shall in this Act (except where the Nature of the Provisions or the Context of the Act shall exclude such Construction) be interpreted as follows; (that is to say,) the Words "Hackney Carriage" shall include every Carriage, except a Stage

Meaning of certain Words used in this Act.

a Stage Carriage, or a Carriage drawn or impelled by the Power of Steam, or otherwise than by Animal Power, with Two or more Wheels, which shall be used for the Purpose of standing or plying for a Passenger or Passengers for Hire at any Place within the Distance of Ten Miles from the General Post Office in the City of *London*; and that so much of an Act passed in the First and Second Years of the Reign of His late Majesty, intituled *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*, as relates to Hackney Carriages and to Watermen, shall extend and apply to Hackney Carriages and to Watermen within the Meaning of this Act: Provided nevertheless, that every Licence to act as a Waterman, and all Power to grant such Licences by virtue of the said recited Act, shall cease and determine; and every Person to whom any such Licence shall have been granted shall, within One Calendar Month before the Commencement of this Act, deliver up to the Registrar appointed under the Authority of this Act the Licence, and the Badge to which every such Licence relates, and shall thereupon be entitled to a new Licence and Ticket from the said Registrar in manner herein-after mentioned; and the Words "Metropolitan Stage Carriage" shall include every Stage Carriage except such as shall on every Journey go to or come from some Town or Place beyond the Limits of this Act; and the Words "Limits of this Act" shall include every Place within the Distance of Ten Miles from the General Post Office in the City of *London*, and the whole of every Town, Village, or Hamlet, any Part or Portion of which shall be within the said Distance from the said General Post Office; and the Word "Proprietor" shall include every Person who shall, either solely or in Partnership with any other Person, be concerned in keeping any Hackney Carriage or any Metropolitan Stage Carriage, or who shall be concerned otherwise than merely as a Driver or Attendant in using or employing for Hire any Hackney Carriage or any Metropolitan Stage Carriage; and the Word "Conductor" shall include every Director, Cad, or other Person, except the Driver, who shall be attendant upon or with any Metropolitan Stage Carriage; and the Word "Waterman" shall include every Assistant to Drivers of Hackney Carriages at the Standings or Places where Hackney Carriages usually stand or ply for Hire; and the Word "Passenger" shall include every Person carried by any Hackney Carriage or by any Metropolitan Stage Carriage except One Driver, and where there shall be a Conductor to such Metropolitan Stage Carriage One Conductor; and the Word "Horse" shall include every Mare or Gelding; and every Word importing the Singular Number only shall extend and be applied to several Persons and Things as well as One Person or Thing, and every Word importing the Masculine Gender only shall extend to a Female as well as a Male.

Certain Provisions of 1 & 2 W. 4. c. 22. extended to this Act.

II. And be it enacted, That there shall be charged upon and in respect of every Licence to be granted under the Authority of this Act as herein-after provided a Duty of Five Shillings, and that the same shall be under the Care and Management of the Commissioners of Stamps and Taxes, and shall be denominated and deemed to be a

Stamp Duty of 5*s.* on every Licence granted under this Act.

Stamp Duty, and shall be raised, levied, paid, secured, and accounted for under the Provisions of any Act or Acts in force or to be in force for raising, levying, or securing the Stamp Duties, or any of them; and it shall be lawful for the said Commissioners, and they are hereby required, upon Application for that Purpose made by the Person who for the Time being shall be the Registrar of Metropolitan Public Carriages, duly appointed under the Provisions herein-after contained, to issue to such Person Vellum, Parchment, or Paper for such Licences, duly stamped, for denoting the Duties charged by this Act, either upon the present Payment of the Duties payable on such Licences, or upon giving such Security for the Payment thereof, and upon such Terms and subject to such Regulations as the said Commissioners shall think proper.

Commissioners of Stamps and Taxes to issue stamped Paper for Licences upon Payment of the Duties or upon Security given.

III. And be it enacted, That upon every such Metropolitan Stage Carriage there shall be affixed immediately above the Stamp Office Plates, or in such other Position as the Registrar to be appointed by virtue of this Act shall direct, a Plate or Plates upon which there shall be inscribed in Black Letters of at least One Inch in Height, and of a proportionate Breadth, upon a White Ground, the Words "Metropolitan Stage Carriage," or such other Words as the said Registrar shall from Time to Time direct; and also that upon every such Metropolitan Stage Carriage the Number of the Stamp Office Plate relating to such Stage Carriage, and the Number of Passengers which such Carriage shall be licensed to carry in the Inside and on the Outside thereof shall be painted or affixed in a conspicuous Manner, both in the Inside and on the Outside of every such Carriage, in such Manner as shall be approved of by the Registrar to be appointed by virtue of this Act, on pain of a Penalty not exceeding Twenty Shillings, to be paid on Conviction of Neglect thereof before any One of Her Majesty's Justices of the Peace.

The Words "Metropolitan Stage Carriage" to be inscribed on every Carriage; and the Number of the Stamp Office Plate, and the Number of Passengers to be carried, painted or affixed thereon.

IV. And be it enacted, That it shall be lawful for Her Majesty's Principal Secretary of State for the Home Department for the Time being to nominate and appoint a fit and proper Person to be called the Registrar of Metropolitan Public Carriages, by whom the several Licences and Tickets to be granted and issued to Drivers of Hackney Carriages, and to Drivers and Conductors of Metropolitan Stage Carriages, and to Watermen, as herein-after directed, shall be granted and issued, at such convenient Place as the said Secretary shall direct and appoint, and also all such Clerks and other Officers as the said Secretary shall deem necessary for the Assistance of such Registrar in the due Execution of this Act; and the said Secretary may at his Discretion remove any of the Persons so being such Registrar, Clerks, and Officers appointed as aforesaid, and upon any Vacancy occasioned by such Removal or otherwise appoint some other fit and proper Person to be such Registrar, Clerk, or Officer; and it shall be lawful for the Commissioners of Her Majesty's Treasury to fix and appoint such Salaries to be paid to such Registrar, Clerks, and Officers as they shall think proper, which Salaries, together with such other Expences in and about the Execution of this Act as the said Commissioners shall direct, shall be paid by the said Commissioners of Stamps and

Secretary for the Home Department to appoint a Registrar and Clerks.

Treasury to fix Salaries of Registrar and Clerks, to be paid by the Commissioners of Stamps and Taxes.

and Taxes out of any Monies to arise from any of the Duties under their Care and Management.

Drivers, Conductors, and Watermen to have Licences and Tickets.

V. And be it enacted, That it shall not be lawful for any Person to act as Driver of any Hackney Carriage, or as Driver or as Conductor of any Metropolitan Stage Carriage, whether such Person shall or shall not be the Proprietor of such Carriage, or for any Person to act as a Waterman, unless such Person shall have a Licence so to do, and a numbered Ticket granted to him under the Authority of this Act, and remaining in force; and if any Person shall act as such Driver or Conductor or Waterman without such Licence and Ticket, or if any Person to whom any such Licence and Ticket shall have been granted shall, except in compliance with the Provisions of this Act, transfer or lend such Licence, or permit any other Person to use or wear such Ticket, he shall for every such Offence forfeit any Sum not exceeding Five Pounds; and if any Proprietor shall knowingly permit or suffer any Person not duly licensed under the Authority of this Act to act as Driver of any Hackney Carriage, or as Driver or as Conductor of any Metropolitan Stage Carriage of which he shall be the Proprietor, such Proprietor shall for every such Offence forfeit any Sum not exceeding Ten Pounds: Provided always, that in case sudden Illness or any other unforeseen Cause shall prevent any Driver or Conductor in the Service of any Proprietor from acting as such Driver or Conductor, any competent Person, whether duly licensed or not under this Act, may lawfully be employed in his Place for any Time not exceeding Forty-eight Hours next after such Accident.

Not to transfer or lend Licence or Ticket.

Proprietors not to allow unlicensed Persons to act as Drivers or as Conductors.

Proviso, in case of Illness, &c.

Registrar to grant Licence to act as a Driver, &c. on Payment of 5*s*., and Production of Certificate.

VI. And be it enacted, That it shall be lawful for the said Registrar, upon the Payment of the Sum of Five Shillings, to grant to any Person, not under Sixteen Years of Age, who shall produce such a Certificate of his Ability to drive and of his good Character as shall be satisfactory to the said Registrar, a Licence to act as Driver of any Hackney Carriage, or a Licence to act as Driver of any Metropolitan Stage Carriage (as the Case may be), and in like Manner to grant to any Person, upon the Production of a Certificate of his good Character as aforesaid, a Licence to act as Conductor of any Metropolitan Stage Carriage, or a Licence to act as a Waterman: Provided always, that in every such Licence there shall be specified the Number of such Licence, and the proper Name and Surname, and Place of Abode, and Age, and a Description of the Person to whom such Licence shall be granted; and in the Case of a Waterman, of the Standing or Place at which he shall thereby be authorized to act as Waterman; and every such Licence shall bear Date on the Day on which the same shall be granted, and shall continue in force until and upon the First Day of *June* next after the Date thereof, except the same shall be sooner revoked, and except during such Period as the same shall be suspended: Provided also, that it shall be lawful for the said Registrar, at any Time during the Period of One Calendar Month preceding the First Day of *June* in any Year, to grant and issue such Licences, to commence and take effect from

What shall be specified in the Licences.

from the Day of the Date thereof, and to continue in force (except as aforesaid) until and upon the First Day of *June* in the Year next following that in which the same shall be granted; and in One or more Book or Books to be provided and kept for that Purpose there shall be entered the Particulars of every Licence which shall be granted as aforesaid; 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 sufficient Proof of all Matters and Things therein registered or contained, without requiring the Production of any Licence, or of any Requisition, or other Document upon which any such Entries 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 at all reasonable Times without Payment of any Fee or Reward.

Particulars of Licences to be entered in Book at the Registrar's Office.

VII. And be it enacted, That before any such Licence as aforesaid shall be granted a Requisition for the same in such Form as the said Registrar shall from Time to Time provide for that Purpose, and accompanied with such Certificate as herein-before is required, shall be made and signed by the Person to whom such Licence is requested to be granted; and in every such Requisition there shall be truly specified and set forth the proper Name and Surname, and Place of Abode, and Age of the Person applying for such Licence; and if any Person applying for and procuring or attempting to procure any such Licence shall make or cause to be made any false Representation in regard to his Name or Place of Abode, or Age, or if he shall not truly answer all Questions which shall be demanded of him in relation to such Application for a Licence, or if any Person to whom reference shall be made shall in regard to such Application wilfully or knowingly make any Misrepresentation with the Intention of deceiving the said Registrar, each and every Person so offending shall forfeit for every such Offence any Sum not exceeding Five Pounds; and it shall be lawful for any Justice of the Peace, upon Proof of any such Offence to revoke any Licence which shall have been granted under any such false Representation.

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

Persons making false Representations to forfeit Five Pounds, and Licence may be revoked.

VIII. And be it enacted, That as often as any Driver, Conductor, or Waterman shall change his Place of Abode he shall, within Two Days next after such Change, give Notice thereof in Writing, signed by him, to the said Registrar, specifying in such Notice his new Place of Abode, and shall at the same Time produce his Licence to the said Registrar, who shall endorse thereon a Memorandum specifying the Particulars of such Change; and if any Driver, Conductor, or Waterman shall change his Place of Abode, and shall neglect or omit to give Notice of such Change, or to produce his Licence in order that such Memorandum as aforesaid may be endorsed thereon within the Time and in the Manner limited and directed by this Act, he shall forfeit for every such Offence any Sum not exceeding Twenty Shillings; and it shall not be necessary for the Proprietor of any Hackney Carriage to give any such Account as aforesaid to the Commissioners of Sewers at the Guildhall in the City of *London*, any thing in the said

Notice to be given by Drivers, Conductors, and Watermen of any Change of Abode.

If Notice not given, to forfeit 20*s*.

recited Act of the First and Second Years of His late Majesty's Reign to the contrary notwithstanding.

An Abstract of the Laws with a Metal Ticket to be delivered with Licences.

IX. And be it enacted, That the said Registrar shall at the Time of granting any such Licence deliver to the Driver, Conductor, or Waterman to whom the same shall be granted an Abstract of the Laws in force relating to such Driver, Conductor, or Waterman, and of the Penalties to which he is liable for any Misconduct, and also a Metal Ticket upon which there shall be marked or engraved his Office or Employment, and a Number corresponding with the Number which shall be inserted in such Licence; and every such Driver, Conductor, not being a Proprietor of a Metropolitan Stage Carriage, shall at all Times during his Employment, and when he shall be required to appear before any Justice of the Peace, wear such Ticket conspicuously upon his Breast in such Manner that the Number thereon shall be distinctly visible and legible; and every Driver or Conductor of any Metropolitan Stage Carriage who shall be the Proprietor of such Carriage shall at all such Times as aforesaid carry such Ticket about his Person; and if any Driver, Conductor, or Waterman shall act as such, or shall attend when required before any Justice of the Peace, without having and (except in the Case of any Driver or Conductor of any Metropolitan Stage Carriage who shall be a Proprietor of such Carriage) wearing such Ticket in manner aforesaid, or shall when thereunto required refuse to produce such Ticket for Inspection, or to permit any Person to note the Number thereon, he shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

Tickets to be carried conspicuously by Drivers, &c.

Penalty for Neglect, or refusing to permit any Person to inspect such Ticket, 40*s*.

Licences and Tickets to be delivered up on the Discontinuance of Licences:

Penalty for wearing a Ticket without having a Licence, or wearing a fictitious Ticket.

X. And be it enacted, That upon the Expiration of any Licence granted under this Act the Person to whom such Licence shall have been granted shall deliver up such Licence and the Ticket relating thereto to the said Registrar; and if after the Expiration of such Licence such Person shall use or wear the Ticket relating thereto, or shall wilfully neglect for the Space of Three Days to deliver the same to the said Registrar; or if any Person shall use or wear or detain any Ticket without having a Licence in force relating to such Ticket, or shall for the Purpose of Deception use or wear or have any Ticket resembling or intended to resemble any Ticket granted by the Authority of this Act, he shall for every such Offence forfeit any Sum not exceeding Five Pounds; and it shall be lawful for any Peace Officer to seize and take away any such Ticket wheresoever the same may be found, in order to deliver the same to the said Registrar.

New Tickets to be delivered in lieu of defaced or lost Tickets.

XI. And be it enacted, That whenever the Number on any Ticket shall become obliterated or defaced so that the same shall not be distinctly visible and legible, and also whenever any Ticket shall be proved to the Satisfaction of the said Registrar to have been lost or mislaid, the Person to whom the Licence relating to any such Ticket shall have been granted shall surrender and deliver up such Ticket (if he shall have the same in his Possession), and shall produce such Licence to the said Registrar, and such Person shall then be entitled to have a new Ticket delivered to him in lieu of the Ticket so delivered

up or lost or mislaid, upon Payment for the Use of Her Majesty of the Sum of One Shilling for each Ticket: Provided always, that if any Ticket which shall have been proved as aforesaid or represented to have been lost or mislaid shall afterwards be found, the same shall forthwith be delivered up to the said Registrar; and if any Person into whose Possession any such Ticket as last aforesaid shall be or come shall refuse or neglect for the Space of Three Days to deliver up the same to the said Registrar; or if any Person licensed under the Authority of this Act shall use or wear the Ticket granted to him after the Number thereon shall be in any Manner obliterated, defaced, or obscured, so that the same shall not be distinctly visible and legible, he shall for every such Offence forfeit any Sum not exceeding Forty Shillings.

Penalty for not delivering up lost Ticket, when found, or for wearing a Ticket after it has been defaced, 40*s*.

XII. And be it enacted, That if any Person shall forge or counterfeit, or shall cause or procure to be forged, counterfeited, or resembled, any Licence or Ticket by this Act directed to be provided for the Driver of a Hackney Carriage, or for the Driver or the Conductor of a Metropolitan Stage Carriage, or for any Waterman; or if any Person shall sell, or exchange, or expose to Sale, or utter any such forged or counterfeited Licence or Ticket; or if any Person shall knowingly and without lawful Excuse (the Proof whereof shall lie on the Person accused) have or be possessed of such forged or counterfeited Licence or Ticket, knowing such Licence or Ticket 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 Person to detain any such Licence or Ticket, or for any Peace Officer to seize and take away any such Licence or Ticket, in order that the same may be produced in Evidence against such Offender, or be disposed of as the said Registrar shall think proper.

Forgery of Licence or Ticket, or knowingly uttering a forged Licence or Ticket, a Misdemeanor.

XIII. And be it enacted, That if the Proprietor of any Hackney Carriage or of any Metropolitan Stage Carriage shall permit or employ any licensed Person to act as the Driver or the Conductor thereof, then and in every such Case such Proprietor shall require to be delivered to him and shall retain in his Possession the Licence of such Driver or Conductor during such Time as such Driver or Conductor shall remain in his Employ; and in all Cases of Complaint, where the Proprietor of a Hackney Carriage or of a Metropolitan Stage Carriage shall be summoned to attend before a Justice of the Peace, or to produce the Driver or the Conductor of such Carriage, the Proprietor so summoned shall also produce the Licence of such Driver or Conductor if he shall then be in his Employ; and if any Driver or Conductor complained of shall be adjudged guilty of the Offence alleged against him, it shall be lawful for such Justice to make an Indorsement upon the Licence of such Driver or Conductor, stating the Nature of the Offence and the Amount of the Penalty inflicted; and

Proprietor to retain the Licence of Drivers or Conductors when in his Employ; and to produce the same when summoned.

Justices may endorse Convictions for Offences upon Licences.

Penalty on Proprietor for Neglect.

and if any Proprietor shall neglect to require to be delivered to him and to retain in his Possession the Licence of any Driver or Conductor during such Period as such Driver or Conductor shall remain in his Employ, or shall refuse or neglect to produce such Licence as aforesaid, such Proprietor shall for every such Offence forfeit any Sum not exceeding Three Pounds.

Proprietors to return Licence to Drivers or Conductors when quitting his Service, if they behave well; if they have misconducted themselves, Proprietor to summon them.

Compensation if Licence improperly withheld.

XIV. And be it enacted, That when and so often as any Driver or Conductor shall leave the Service of the Proprietor by whom he shall have been employed, and shall not have been guilty of any Misconduct, such Proprietor shall forthwith return to such Driver or Conductor the Licence belonging to him; but if such Driver or Conductor shall have been guilty of any Misconduct, then and in any such Case such Proprietor shall not return the Licence to such Driver or Conductor, but shall give him Notice of the Complaint which he intends to prefer against him, and shall forthwith summon such Driver or Conductor to appear before any Justice of the Peace to answer the said Complaint; and such Justice, having the necessary Parties before him, shall inquire into and determine the Matter of Complaint; and if upon the Inquiry it shall appear that the Licence of such Driver or Conductor has been improperly withheld, it shall be lawful for such Justice to direct immediate Re-delivery of such Licence, and to award such Sum of Money as he shall think proper to be paid by such Proprietor to such Driver or Conductor by way of Compensation.

Licences may be suspended, and for certain Offences revoked by Justices.

XV. And be it enacted, That it shall be lawful for any Justice of the Peace before whom any Driver, Conductor, or Waterman shall be convicted of any Offence, whether under this Act or any other Law, if such Justice in his Discretion shall think proper, to suspend for any Period not exceeding Two Calendar Months the Licence granted to such Driver, Conductor, or Waterman under this Act; and it shall also be lawful for any Two Justices of the Peace, upon Proof that any Driver, Conductor, or Waterman has been convicted of Felony or of knowingly receiving stolen Property, or upon the Conviction before them for a Second Offence of any Driver or Conductor for furious or wanton or negligent Driving, or for detaining Property left in any Hackney Carriage, or in any Metropolitan Stage Carriage, or for wilfully defrauding his Employer, or for refusing or neglecting to attend before any Justice when lawfully required so to do, if such Justices in their Discretion shall think proper, to revoke the Licence granted to such Driver, Conductor, or Waterman under this Act; and whenever the Licence of any Driver, Conductor, or Waterman shall be suspended or revoked as aforesaid, it shall be lawful for any Justice of the Peace to require any Proprietor to deliver up forthwith to such Justice the Licence of such Driver or Conductor, if the same shall then be in his Possession, or to require such Driver, Conductor, or Waterman to deliver up forthwith to such Justice his Licence, and the Ticket relating thereto; and if any Proprietor, Driver, Conductor, or Waterman shall upon being so required refuse or neglect to deliver up such Licence or any such Ticket he shall forfeit any Sum not exceeding Five Pounds; and every Justice to whom any Licence or any Ticket shall be delivered up shall forthwith transmit the same to the said Registrar, who shall

Justices empowered to require Licences or Tickets to be delivered up to them.

Penalty 5*l.*

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at the Expiration of the Period for which any such Licence shall have been suspended re-deliver such Licence with the Ticket to the Person to whom it shall have been granted.

No Person to act as Driver of any Carriage without the Consent of the Proprietor.

XVI. And be it enacted, That it shall not be lawful for any Driver or Conductor authorized by any Proprietor to act as Driver of any Hackney Carriage, or as Driver or Conductor of any Metropolitan Stage Carriage, to permit or suffer any other Person to act as Driver of such Hackney Carriage, or as Driver or as Conductor of such Metropolitan Stage Carriage, without the Consent of the Proprietor thereof (except in the Cases herein-before mentioned), or for any Person, whether duly licensed or not, to act as Driver or as Conductor of any such Carriage without the Consent of the Proprietor thereof (except in the Cases herein-before mentioned); and it shall be lawful for any Police Constable, without any Warrant for that Purpose, to apprehend any Person unlawfully acting as a Driver or as a Conductor, and to convey him before any Justice of the Peace at One of the Police Offices in the City of *London* or in the Counties of *Middlesex* or *Surrey*, to be dealt with according to Law, or to be held to Bail to answer the said Offence.

Punishment for wanton or furious Driving, or Negligence, or wilful Misbehaviour of Drivers of Carriages.

Compensation for Hurt or Damage, not exceeding 5*l.*, to be paid by the Proprietor, who shall recover of the Driver.

XVII. And be it enacted, That if the Driver of any Hackney Carriage or of any Metropolitan Stage Carriage shall be guilty of wanton or furious driving, or shall, by Negligence, wilful Misbehaviour, or any other Misconduct, cause any Hurt or Damage to any Person or Property being upon any Street or Highway, or if any Driver, Conductor, or Waterman shall during his Employment be intoxicated, or shall make use of any abusive Language, he shall for every such Offence forfeit any Sum not exceeding Three Pounds; or it shall be lawful for the Justice before whom such Complaint shall be brought, if in his Discretion he shall think proper, instead of inflicting such Penalty, forthwith to commit such Offender to Prison for any Period not exceeding Two Calendar Months, with or without hard Labour, as such Justice shall direct; and in every Case where any such Hurt or Damage shall have been caused such Justice may direct and award that the Proprietor of any Hackney Carriage or of any Metropolitan Stage Carriage, when the Driver thereof has caused any Hurt or Damage as aforesaid, shall pay such a Sum, not exceeding Five Pounds, as shall appear to the Justice of the Peace before whom the Complaint shall be brought to be a reasonable Compensation to the Person so aggrieved or injured; and every Proprietor who shall pay any Compensation as aforesaid shall be entitled to recover the same from his Driver in a summary Manner as herein-after directed.

Penalty on Drivers of Hackney Carriages, or Drivers or Conductors of Metropolitan Stage Carriages, for loitering or causing any

XVIII. And be it enacted, That if the Driver of any Hackney Carriage shall ply for Hire elsewhere than from some Standing or Place appointed for that Purpose, or shall by loitering or by any wilful Misbehaviour cause any Obstruction in or upon any public Street or Road; or if the Driver or the Conductor of any Metropolitan Stage Carriage shall by loitering or by any wilful Misbehaviour cause any Obstruction in or upon any public Street or Road; or shall improperly delay such Carriage on any Journey, or wilfully deceive any

Obstruction, or plying for Hire by making any Noise, &c.

Person in respect to the Route or Destination thereof; or shall for the Purpose of taking up or setting down a Passenger, or except in case of Accident or other unavoidable Necessity, stop such Carriage opposite to the End of any Street, or upon any Place where Foot Passengers usually cross the Carriageway; or shall ply for Hire or Passengers by blowing a Horn; he shall for every such Offence forfeit any Sum not exceeding Twenty Shillings.

Any Justice may inquire into Disputes between Proprietors and Drivers of Carriages, and settle the same.

XIX. And be it enacted, That in case of any Complaint or Dispute between the Proprietor of any Hackney Carriage and the Driver thereof, or the Proprietor of any Metropolitan Stage Carriage and the Driver or the Conductor thereof, in respect to the Amount of Earnings, or to such Sums of Money as such Driver or Conductor shall have engaged to pay Day by Day to such Proprietor, or in respect to Injury, Damage, or Loss which shall have arisen through the Neglect or Default of such Driver or Conductor to the Property of such Proprietor intrusted to his Care, or of Penalties, Forfeitures, or Expences which shall have been incurred by such Proprietor through the Misconduct of such Driver or Conductor, or respecting Wages or Reward alleged to be due to such Driver or Conductor, and to be improperly withheld by such Proprietor, or in respect of any Sum of Money deposited by such Driver or Conductor in the Hands of such Proprietor, or in any other Case of Dispute or Complaint between the Proprietor of any such Carriage and the Driver or the Conductor thereof, upon Complaint made to any Justice of the Peace by such Proprietor against such Driver or Conductor, or by such Driver or Conductor against such Proprietor, the said Justice shall inquire into and determine the same, and order such Compensation to be made to either Party as to such Justice shall seem proper.

Title and Place of Abode of a Peer of the Realm painted on any Carriage, &c. to be deemed a Compliance with the Provisions of the recited Act.

XX. And whereas by the said recited Act of the First and Second Years of His late Majesty's Reign it was enacted, that the Owner of every Waggon, Wain, Cart, Car, Dray, or other Carriage should, before any such Carriage should 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*, 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 every 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 Carriage, in the Manner in such Act directed; be it enacted, That in all Cases where the Owner of any such Carriage shall be a Peer of the Realm, or shall be known or usually designated by some Title of Rank, it shall be deemed to be a Compliance with the Provisions of the aforesaid Act that the Title only and Place of Abode of such Peer or other Person shall be painted in the Manner therein described upon any such Waggon, Wain, Cart, or other Carriage.

Proprietors may be summoned to

XXI. And be it enacted, That when any Complaint shall be made before any Justice of the Peace against the Driver of any Hackney Carriage,

Carriage, or the Driver or the Conductor of any Metropolitan Stage Carriage, for any Offence committed by him, within Seven Days, against the Provisions of this Act, or of any Act now in force relating to Hackney Carriages or to Metropolitan Stage Carriages, or of any Orders or Regulations made in pursuance thereof, it shall be lawful for such Justice, if he shall think proper, forthwith to summon the Proprietor of such Carriage personally to appear, or to produce the Driver of such Hackney Carriage, or the Driver or the Conductor of such Metropolitan Stage Carriage, to answer such Complaint; and if any such Proprietor, being duly summoned, shall neglect or refuse personally to appear or to produce such Driver or Conductor, according to such Summons, without a reasonable Excuse for such Neglect or Refusal, to be allowed by the Justice before whom he ought to appear according to such Summons, such Proprietor shall forfeit any Sum not exceeding Forty Shillings, and so from Time to Time as often as he shall be so summoned, until he shall appear, or such Driver or Conductor shall be produced by him; and every Proprietor so summoned to appear, or to produce the Driver of any Hackney Carriage, or the Driver or the Conductor of any Metropolitan Stage Carriage, shall cause a verbal or written Notice to be given to such Driver or Conductor of the Time and Place when and where such Driver or Conductor is so required to attend; and if after any such verbal or written Notice shall have been given or served as aforesaid any Driver or Conductor shall, without a reasonable Excuse to be allowed by the Justice, neglect or refuse to attend at the Time and Place at which he is so required to attend, or if such Driver or Conductor having previously left the Service of the Proprietor so summoned as aforesaid shall not then and there also produce his Licence, every Driver or Conductor so offending shall forfeit any Sum not exceeding Forty Shillings: Provided always, that if such Proprietor shall neglect or refuse to appear, or to produce such Driver or Conductor when so summoned, it shall not be necessary to issue a Second Summons unless such Justice shall think proper so to do; but it shall be lawful for such Justice to proceed to hear and determine the said Complaint in the Absence of the said Proprietor and of the Driver or Conductor, or either of them, and upon Proof of such Offence by the Oath of One or more credible Witness or Witnesses to give Judgment against such Proprietor or Driver or Conductor, as the Case may be, for the Penalty incurred by reason of such Offence.

appear, or to produce the Driver or Conductor.

Penalty for Neglect of Summons 40*s.*

Proprietor to give Notice to Driver or Conductor.

Penalty on Driver or Conductor for not appearing 40*s.*

On Neglect of Summons Justice may proceed.

XXII. And be it enacted, That whenever it shall happen that the Driver of any Hackney Carriage or the Driver or the Conductor of any Metropolitan Stage Carriage shall have committed any Offence against this Act, or against the said Act passed in the First and Second Years of the Reign of His late Majesty, or against any such Orders and Regulations as aforesaid, for the Commission whereof any Penalty is imposed upon such Driver or Conductor and not upon the Proprietor of such Carriage, and such Driver or Conductor shall not appear or be produced by such Proprietor, then, but not otherwise, the Proprietor of such Carriage shall be liable to every such Penalty as if he had been the Driver or the Conductor of such Carriage at the Time when such Offence was committed; and every Proprietor who shall pay any

If Driver or Conductor does not appear the Proprietor to pay the Penalty, and be entitled to recover from the Driver or Conductor.

any Penalty or Costs incurred by reason of any such Offence shall be entitled to recover the same from such Driver or Conductor in a summary Manner; and upon Complaint made in the Premises before any Justice of the Peace by such Proprietor against such Driver or Conductor such Justice shall inquire into the same, and shall cause the Sum which shall appear to have been so paid to be repaid by such Driver or Conductor, as a Compensation to such Proprietor, together with such further Expences as the said Justice shall think fit.

Justices empowered to hear and determine Complaints.

XXIII. And be it enacted, That it shall be lawful for any Justice of the Peace appointed by Her Majesty's Principal Secretary of State for the Home Department, under the Authority of the said Act of the First and Second Years of His late Majesty's Reign, for the Purpose of hearing and determining Offences against the Provisions of that Act, or for such other Justice of the Peace as shall be in attendance at the Office appointed in that Behalf, to hear and determine any Complaint for any Offence against the Provisions of this Act, or of any Act now in force or hereafter to be in force, so far as the same shall relate to Hackney Carriages, or to Metropolitan Stage Carriages, or to Watermen, in like Manner as if such Provisions had been included in the aforesaid Act.

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

XXIV. And be it enacted, That it shall be lawful for any Justice of the Peace, in all Cases in which no other Mode of proceeding is specially provided or directed by this Act, upon Complaint being made by any Person of any Offence against the Provisions of this Act or of the said recited Act of the First and Second Years of the Reign of His late Majesty, or of the Orders and Regulations made in pursuance thereof or any of them, within Seven Days next after the Commission of any such Offence, to issue his Summons to require the Attendance of the Person complained against before the said Justice, or before any other Justice of the Peace, at a Time and Place to be appointed for that Purpose, or a Warrant for the Apprehension of the Offender; 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 hear and determine the Matter of such Complaint, 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 Compensation and Costs, and to adjudge that such Person shall pay the same, either immediately or within such Period as such Justice shall think fit; and such Justice, according to his Discretion, may either adjudge that, in default of Payment of such Penalty or Compensation and Costs at the Time appointed, the Person so convicted shall be imprisoned in the Common Gaol or House of Correction for any Term not exceeding Two Calendar Months, the Imprisonment to cease upon Payment of the Sum due; or may, on Nonpayment of such Penalty or Compensation and Costs, award and issue his Warrant for the levying of any Penalty or Compensation so adjudged, together with the said Costs and Expenses, and also the Costs and Expenses of such Warrant and of levying the same on the Goods

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 or Compensation, 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 or Compensation 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 Superior Court; any Law, Statute, or Usage to the contrary notwithstanding.

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

XXV. 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 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 or 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.

Peace Officers and Informers not disqualified from being Witnesses.

XXVI. And be it enacted, That upon the Trial or Hearing of any Complaint made under any of the Provisions of this Act, or such Orders and Regulations as aforesaid, any Peace Officer or any Complainant or other Person shall be deemed and is hereby declared to be a competent Witness, notwithstanding that such Officer or Person may be entitled to or expect any Part of the pecuniary Penalty or Compensation, or any Remuneration or Reward on the Conviction of any Offender upon any such Complaint: Provided always, that no Person shall be convicted under any of the Provisions of this Act where the only Evidence against him shall be that of the Person who may be entitled to or expect any Part of the pecuniary Penalty on the Conviction of such Person, unless such Person so entitled as aforesaid shall, before he shall be sworn to give Evidence, give up all Claim to the pecuniary Penalty and every Part thereof which may be inflicted in case of Conviction.

Proviso.

Application of Penalties.

XXVII. And be it enacted, That all pecuniary Penalties imposed by or incurred under this Act, or such Orders and Regulations

as aforesaid, shall respectively be distributed and divided in manner following; (that is to say,) one Moiety thereof in aid of Expences of Police of the District in which the Offence shall be committed, and the other Moiety thereof, with full Costs of Suit, to the Person who shall inform and sue or prosecute for the same within Seven Days after the Offence committed, unless such Person shall have given up all Claim to the said Penalty and every Part thereof, in which Case the whole of such Penalty shall go in aid of Expences of the said Police; or if the Prosecutor be a Constable in the Metropolitan Police Force or City Police, then to the Receiver of the said Force; or if in the City of *London*, then to the Chamberlain of *London* for Police Expences; or if he be a Constable attached to the Public Office *Bow Street*, or any of the Police Offices, then to the Receiver of Police.

Justices may award Costs to Defendant, where Complaint is withdrawn or dismissed.

XXVIII. And be it enacted, That if any Driver, Conductor, Waterman, or Proprietor shall be summoned before any Justice of the Peace to answer any Complaint made against him by any Person other than an Officer of Stamps and Taxes, or any Police Constable, touching or concerning any Offence committed or alleged to have been committed by such Driver, Conductor, Waterman, or Proprietor respectively against the Provisions of this Act, or against any such Orders and Regulations made as aforesaid, and such Complaint 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 such Justice, if he shall think fit, to order and award that the Informer or Person making such Complaint shall pay to the Defendant such Costs of making or preparing for his Defence, and also such Compensation for his Loss of Time and for the Time of his Witnesses (if any) in attending such Justice, touching or concerning such Complaint, as to such Justice shall seem reasonable; and in default of immediate Payment of the Sum so awarded, it shall be lawful for such Justice at his Discretion to commit such Person to the Common Gaol or House of Correction for any Time not exceeding One Calendar Month, unless the same shall be sooner paid, or to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Person ordered to pay the same, together with the Costs of such Distress and Sale; and if Goods and Chattels of such Person sufficient to answer the Sum so awarded, with such Costs as aforesaid, cannot be found, then it shall be lawful for such Justice to commit such Person to the Common Gaol or House of Correction for any Time not exceeding One Calendar Month, unless the Sum so awarded, together with all Costs and Expences, shall be sooner paid and satisfied.

Service of the Justice's Summons and other Notices.

XXIX. And be it enacted, That any Summons issued by any Justice of the Peace requiring any Defendant or any Witness or other Person to appear before such Justice or any other Justice, with reference to any Complaint or other Proceeding for the Recovery of any Penalty or Compensation or Costs under this Act, or such Orders and Regulations as aforesaid, or any Notice required by this Act, shall be deemed to be well and sufficiently served, in case either the Summons, or a Copy thereof, or such Notice, be delivered to any such Person as

 aforesaid,

aforesaid, or to the Husband, Wife, or Servant of such Person, or be left at his usual or last Place of Residence, or, in case such Person be a licensed Driver, Conductor, or Waterman, or a Proprietor of a Hackney Carriage or of a Metropolitan Stage Carriage, at the Place specified in any such Licence as the Place of Abode of such Driver, Conductor, Waterman, or Proprietor (as the Case may be); and if any Constable or other Peace Officer shall refuse or neglect to serve or execute any Summons, Warrant, or Order granted, issued, or made by any Justice of the Peace, pursuant to any of the Provisions of this Act, every such Constable or Peace Officer so offending shall forfeit any Sum not exceeding Ten Pounds.

Penalty on Constables refusing to serve a Summons, &c.

XXX. And be it enacted, That every Summons, Conviction, Warrant of Distress or Commitment, or other such Proceeding which shall be had or taken for the Recovery of any Penalty, Compensation, or Costs under the Provisions of this Act, or such Rules, Orders, and Regulations as aforesaid, may be drawn or made out according to the several Forms contained in the Schedule hereunto annexed, or to the Effect thereof, *mutatis mutandis*, as the Case may require; and every such Summons, Conviction, Warrant, or other such Proceeding which shall be so drawn or made out shall be good and effectual to all Intents and Purposes whatsoever, without stating the Case, or the Facts or Evidence in any more particular Manner than is required in and by such Forms respectively.

Proceedings to be drawn up according to the Forms in the Schedule.

XXXI. 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, or of such Orders and Regulations as aforesaid, 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 City of *London* or the City of *Westminster*, 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 of any such Orders and Regulations as aforesaid, 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

Limitation of Actions.

Venue.

Notice of Action.

General Issue.

Tender of Amends.

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 at the Time of such Trial certify in Writing his Approbation of the Action, and of the Verdict obtained thereupon.

Commencement of Act.

XXXII. And be it enacted, That this Act shall commence and take effect on the Seventh Day of *October* One thousand eight hundred and thirty-eight: Provided always, that it shall be lawful for the said Registrar, at any Time during the Period of One Calendar Month preceding the said Seventh Day of *October*, to grant and issue Licences and Tickets under any of the Provisions of this Act, to commence and take effect upon the said Seventh Day of *October*; and all Licences which shall be so granted and issued shall be dated on the said Seventh Day of *October*, and shall be valid and effectual to all Intents and Purposes, any thing herein-before contained to the contrary notwithstanding.

Licences and Tickets may be issued within One Month before the Commencement of the Act.

Hackney Carriages not to stand opposite to General Post Office.

XXXIII. And be it enacted, That nothing herein or in any other Act contained shall be deemed or construed to authorize any Hackney Carriage to stand or ply for Hire opposite to the General Post Office in *Saint Martin-le-Grand, London*, or any Part thereof.

Act may be altered this Session.

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

The

The SCHEDULE to which this Act refers.

No. 1.

FORM of a SUMMONS on Complaint made for the Recovery of a Penalty or Compensation under this Act.

To *E. O.* of, *&c.*

County [*or as the Case may be*] of to wit. } WHEREAS Complaint hath been this Day made by *A. B.* before me *C. D.* Esquire, One of Her Majesty's Justices of the Peace for the of for that you, on the Day of at did [*here state the Substance of the Charge*]: These are therefore in Her Majesty's Name to require you personally to appear before me the said Justice, or such other of Her Majesty's Justices of the Peace for the said as shall be sitting at on the Day of at the Hour of of the Clock, then and there to answer thereto.

Given under my Hand and Seal this Day of in the Year of our Lord

C. D.

No. 2.

FORM of a CONVICTION on the foregoing Complaint, with Order of Imprisonment on Nonpayment of the Penalty or Compensation.

County [*or as the Case may be*] of to wit. } BE it remembered, That on the Day of in the Year of our Lord at in the said County of [*or* City, Liberty, *or* Place, *as the Case may be*], *A. B.* is duly convicted before me *C. D.*, One of Her Majesty's Justices of the Peace for the County of [*or* City *&c.*], for that he the said *A. B.* did [*here insert the Offence, Day, and Place*], contrary to the Statute in that Case made and provided [*or* contrary to the Orders and Regulations made in pursuance of an Act passed in the Year of the Reign of Queen Victoria, intituled *An Act, &c.*, [*Title of this Act*]: I do therefore adjudge the said *A. B.* to forfeit and pay the Sum of [*Penalty*], and also the Sum of [*Compensation if any*]; and also the Sum of for Costs; and in default of immediate Payment of the said Sums [*or, if Time is given for Payment*, in default of Payment of the said Sums on or before the Day of] to be imprisoned in the [*Prison*], and there to be kept to hard Labour [*as the Case may be*] for the Space of unless the said Sums shall be sooner paid; and I do direct the said Sum of [*Penalty*] to be paid to to be applied according to the Directions of the Statute in that Case made and provided, [*or, if Penalty and Compensation are ordered*, the

Sum of [*Penalty*] to be paid [*as above*]; and the said Sum of [*Compensation*] to be paid to the Party aggrieved, and the said Sum of [*Costs*] to be paid to [*Party*].

Given under my Hand and Seal the Day and Year first above written.

C. D.

No. 3.

FORM of a CONVICTION on the foregoing Complaint, without an Order of Imprisonment.

County [*or as the Case may be*] of to wit. } BE it remembered, That on the Day of at *A. B.* of, *&c.* was duly convicted before me One of Her Majesty's Justices of the Peace for in pursuance of an Act passed in the Year of the Reign of Her Majesty Queen Victoria, 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 [*or* contrary to the Orders and Regulations made in pursuance of the said Act]; for which Offence I do adjudge that the said *C. D.* hath forfeited 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 and Year first above written.

C. D.

No. 4.

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

To the Constable of in the of

County [*or as the Case may be*] of to wit. } WHEREAS *E. O.* of, *&c.* has been duly convicted of a certain Offence, for that [*here state the Offence as in the Conviction*], whereby he hath forfeited the Sum of over and above the reasonable Costs and Charges of the Informer, allowed and assessed at the Sum of ; therefore I command you to levy the said Sum of , and also the said Sum of for the Costs and Charges aforesaid, making together the Sum of by distraining the Goods and Chattels of the said *E. O.*; 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 and keeping and selling such Distress, rendering the Overplus (if any) to the Owner of the said Goods

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 Her Majesty's Justices of the Peace for the said of .

No. 5.

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

To the Constable of and to the Keeper of the Common Gaol [*or* House of Correction] at in the said

County [*or as the Case may be*] of to wit. } WHEREAS *E. O.* of, *&c.* has been duly convicted of a certain Offence, for that [*here state the Offence as in the Conviction*], whereby he hath forfeited the Sum of over and above the reasonable Costs and Charges of the Informer, allowed and assessed at the Sum of 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 Constable of to apprehend and take the said *E. O.*, and safely to convey him to the Common Gaol [*or* House of Correction] at in the of 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 *E. O.*, 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 Her Majesty's Justices of the Peace for the said of .

No. 6.

FORM of a SUMMONS to the Proprietor of a Hackney Carriage or a Metropolitan Stage Carriage to appear or to produce the Driver or Conductor thereof to answer a Complaint.

To *E. F.*, of, *&c.*, Proprietor of the Hackney Carriage Number [*or* the Metropolitan Stage Carriage Number .]

WHEREAS Complaint hath been made by *C. D.* against the Driver of the Hackney Carriage Number [*or* the Driver or Conductor of the Metropolitan Stage Carriage Number], on the Day of now last past [*or* instant], charging that the said Driver [*or* Conductor] on the Day of now last past [*or* instant], (of which said Carriage you were then the Proprietor,) at or about the Hour of did [*here state the alleged Offence*]: These are therefore to require you personally to appear before me, or such other of Her Majesty's Justices

Justices of the Peace as shall be present, at on the Day of at of the Clock in the noon, or then and there to produce the said Driver [*or* Conductor], to answer the said Complaint. Dated the Day of .

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

No. 7.

FORM of a WARRANT of DISTRESS for levying upon the Proprietor of a Hackney Carriage or Metropolitan Stage Carriage the Penalty in which the Driver or Conductor 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 [*or* the Driver or Conductor of the Metropolitan Stage Carriage Number] on the Day of was duly convicted of a certain Offence, for that [*here state the Offence*], whereby he hath forfeited 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 [*or* Conductor], 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 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 [*proceed as in the Form No. 4. to the End thereof*].

No. 8.

FORM of WARRANT of COMMITMENT of the Proprietor of a Hackney Carriage or Metropolitan Stage Carriage for Want of a sufficient Distress whereon to levy the Penalty in which the Driver or Conductor of such 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 Form No. 7. 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. 5. to the End thereof.*]

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