



London Hackney Carriage Act 1831

1831 CHAPTER 22

XXIII Penalty on the Driver of a Carriage plying for Hire without Plates, 5l. If the Owner ,10l.

And be it enacted, That if any Carriage shall be used for the Purpose of standing or plying for Hire as a Hackney Carriage in any public Street or Road at any Place within the Distance of Five Miles from the General Post Office in the City of *London*, such Carriage not having the proper Stamp Office Plate fixed thereon as required by this Act, the Driver of such Carriage, or the Person plying for Hire therewith, or having the Care thereof, not being the Owner or Proprietor thereof, shall forfeit Five Pounds, and if he shall be the Owner or Proprietor of such Carriage he shall forfeit Ten Pounds ; and it shall be lawful for any Constable or Police Officer, or for any Officer of Stamp Duties, without any Warrant for that Purpose, to apprehend such Driver or other Person plying for Hire with or having the Care of such Carriage, and to convey him before any Justice of the Peace, to be dealt with as herein-after mentioned; and it shall also be lawful for such Constable or Police Officer, or Officer of Stamp Duties, to drive or take the Carriage not having such Plate, with the Horse or Horses harnessed thereto or drawing the same, or to cause the same to be driven or taken, to some public Green Yard, or to some Livery Stables or other Place of Safety, and there to lodge the same for safe Custody until the Determination of such Justice shall be known ; and the Justice before whom such Driver or other Person shall be brought shall hear and determine such Offence; and in case the Person convicted of any such Offence shall be the Owner or Proprietor of such Carriage or of the said Horse or Horses, and if the Penalty in which he shall be convicted, together with the Costs and Expences, and the Expences of taking such Carriage and Horses to and keeping the same at such Green Yard, Stables, or other Place, shall not be fully paid or discharged within Five Days after such Conviction, such Carriage and Horses, together with the Harness used therewith, shall be sold by the Order under the Hand of such Justice, and the Surplus, if any, of the Produce of such Sale, after deducting therefrom the said Penalty, Costs, and Expences, and also the Expences of such Sale, shall be rendered to such Owner or Proprietor; but in case, the Person so convicted shall not be the Owner or Proprietor of such Carriage or Horses, then in default of Payment of the Penalty in which he shall be convicted, together with the Costs and Expences aforesaid, such Justice shall commit the Offender to the Common Goal or House of Correction, there to be kept for the Space of Three Calendar Months; and such Justice shall give an Order for

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the delivering up of the Carriage, Horses, and Harness to the Owner thereof, on his paying the Expences of taking and keeping the same; and in case of his Refusal to pay such Expences, then such Carriage, Horses, and Harness, or a sufficient Part thereof to defray such Expences, shall be sold by Order under the Hand of such Justice; and after Payment thereof of ail such Expences as aforesaid, together with the Expences of such Sale, the Surplus, if any, of the Produce of such Sale, together with such Part of the Carriage, Horses, and Harness as shall remain unsold, shall be rendered and restored to the Owner.