



London Hackney Carriage Act 1831

1831 CHAPTER 22 1 and 2 Will 4

1 F1

Textual Amendments

F1 Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by Statute Law Revision Act 1874 (c. 35)

2, 3. F2

Textual Amendments

F2 Ss. 2, 3, 5–17, 19–25, 30–33, 49, 58, 61, Schs. (A)–(C) repealed by Revenue Act 1869 (c. 14), Sch. (E)

4 F3

Textual Amendments

F3 S. 4 repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), Sch. 1 Pt. X

5–17. F4

Textual Amendments

F4 Ss. 2, 3, 5–17, 19–25, 30–33, 49, 58, 61, Schs. (A)–(C) repealed by Revenue Act 1869 (c. 14), Sch. (E)

Status: Point in time view as at 22/07/2008.
Changes to legislation: There are currently no known outstanding effects for the London Hackney Carriage Act 1831. (See end of Document for details)

18 F5

Textual Amendments

F5 Ss. 18, 62, 63 repealed by Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XVII

19— F6
25.

Textual Amendments

F6 Ss. 2, 3, 5–17, 19–25, 30–33, 49, 58, 61, Schs. (A)–(C) repealed by Revenue Act 1869 (c. 14), Sch. (E)

26 F7

Textual Amendments

F7 Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by Statute Law Revision Act 1874 (c. 35)

F8 27

Textual Amendments

F8 S. 27 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XV Group2

F9 28

Textual Amendments

F9 S. 28 repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XV Group2

29 F10

Textual Amendments

F10 Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by Statute Law Revision Act 1874 (c. 35)

30–33 F11

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Textual Amendments

- F11** Ss. 1, 3, 5–17, 19–25, 30–33, 49, 58, 61, Schs. (A)–(C) repealed by [Revenue Act 1869](#) (c. 14), [Sch. \(E\)](#)

34 ^{F12}

Textual Amendments

- F12** Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by [Statute Law Revision Act 1874](#) (c. 35)

35 †Hackney carriages standing in any street shall be deemed to be plying for hire; and the driver thereof refusing to go with any person liable to a penalty of 40s.

Every hackney carriage which shall be found standing in any street or place, . . . ^{F13} shall, unless actually hired, be deemed to be plying for hire, although such hackney carriage shall not be on any standing or place usually appropriated for the purpose of hackney carriages standing or plying for hire; and the driver of every such hackney carriage which shall not be actually hired shall be obliged and compellable to go with any person desirous of hiring such hackney carriage; and upon the hearing of any complaint against the driver of any such hackney carriage for any such refusal such driver shall be obliged to adduce evidence of having been and of being actually hired at the time of such refusal, and in case such driver shall fail to produce sufficient evidence of having been and of being so hired as aforesaid he shall forfeit [^{F14}level 1 on the standard scale].

Textual Amendments

- F13** Words repealed by [Statute Law \(Repeals\) Act 1976](#) (c. 16), [Sch. 1 Pt. XVII](#)
F14 Words substituted by virtue of [Criminal Justice Act 1982](#) (c. 48, SIF 39:1), [ss. 38, 46](#)

Modifications etc. (not altering text)

- C1** A dagger appended to a marginal note means that it is no longer accurate.
C2 [S. 35](#) restricted by [London Cab Act 1968](#) (c. 7), [s. 3\(2\)\(3\)](#)
C3 [S. 35](#) excluded (22.7.2008) by [Transport for London Act 2008](#) (c. i), [ss. 1\(1\), 9\(3\)](#)
C4 [S. 35](#) restricted by S.R.&O. 1934/1346, (Rev. XIV, p. 795: 1934 I, p. 1236), art. 31
C5 [S. 35](#) extended (E.W.S.) by [Airports Act 1986](#) (c.31, SIF 9), [s. 65\(5\)](#)
C6 [S. 35](#) modified by [S.I. 1986/1387](#) art. 4(2)

36 Compensation to be made to drivers improperly summoned for refusing to carry any person.

Provided always, that if the driver of any hackney carriage shall in civil and explicit terms declare to any person, desirous to hire such hackney carriage that it is actually hired and shall afterwards, notwithstanding such reply, be summoned to answer for his refusal to carry such person in his said hackney carriage, and shall upon the hearing of the complaint produce sufficient evidence to prove that such hackney carriage was

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at the time actually and bona fide hired, and it shall not appear that he used uncivil language, or that he improperly conducted himself towards the party by whom he shall be so summoned, the justice before whom such complaint shall be heard shall order the person who shall have summoned such driver to make to him such compensation for his loss of time in attending to make his defence to such complaint as such justice shall deem reasonable, . . . ^{F15}

Textual Amendments**F15** Words repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)37 ^{F16}**Textual Amendments****F16** [Ss. 37, 43–45, 59, 60](#) repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. VI](#)38— ^{F17}
40.**Textual Amendments****F17** [Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78](#) repealed by [Statute Law Revision Act 1874 \(c. 35\)](#)**41 Persons refusing to pay the driver his fare, or for any damage, may be committed to prison.**

If any person shall refuse or omit to pay the driver of any hackney carriage the sum justly due to him for the hire of such hackney carriage, or if any person shall deface or in any manner injure any such hackney carriage, it shall be lawful for any justice of the peace, upon complaint thereof made to him, to grant a summons, or, if it shall appear to him necessary, a warrant, for bringing before him or any other justice such defaulter or defender, and, upon proof of the facts made upon oath before any such justice, to award reasonable satisfaction to the party so complaining for his fare or for his damages and costs, and also a reasonable compensation for his loss of time in attending to make and establish such complaint; . . . ^{F18}

Textual Amendments**F18** Words repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)42 ^{F19}

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Textual Amendments

F19 Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by Statute Law Revision Act 1874 (c. 35)

43— **F20**
45.

Textual Amendments

F20 Ss. 37, 43–45, 59, 60 repealed by Statute Law (Repeals) Act 1973 (c. 39), **Sch. 1 Pt. VI**

46 **F21**

Textual Amendments

F21 Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by Statute Law Revision Act 1874 (c. 35)

47 Deposit to be made for carriages waiting.

Where any hackney carriage shall be hired and taken to any place of public resort, or elsewhere, and the driver thereof shall be required there to wait with such hackney carriage, it shall be lawful for such driver to demand and receive from the person so hiring and requiring him to wait as aforesaid a reasonable sum as a deposit, over and above the fare to which such driver shall be entitled for driving thither, which sum so demanded and received shall be accounted for by such driver when such hackney carriage shall be finally discharged; and if any such driver who shall have received any such deposit as aforesaid shall refuse to wait with such hackney carriage at the place where he shall be so required to wait, or if such driver shall go away, or shall permit such hackney carriage to be driven or taken away, without the consent of the person making such deposit, before the expiration of the time for which the sum so deposited shall be a sufficient compensation . . . ^{F22} or if such driver on the final discharge of such hackney carriage shall refuse duly to account for such deposit, every such driver so offending shall forfeit [^{F23}level one on the standard scale].

Textual Amendments

F22 Words repealed by Statute Law Revision Act 1874 (c. 35)

F23 Words substituted by virtue of Criminal Law Act 1977 (c. 45, SIF 39:1), **s. 31(5)–(9)** and Criminal Justice Act 1982 (c. 48, SIF 39:1), **s. 46**

48 **F24**

*Status: Point in time view as at 22/07/2008.**Changes to legislation: There are currently no known outstanding effects for the London Hackney Carriage Act 1831. (See end of Document for details)***Textual Amendments****F24** S. 48 repealed by [Statute Law Revision Act 1959 \(c. 68\)](#)**49** **F25****Textual Amendments****F25** Ss. 2, 3, 5–17, 19–25, 30–33, 49, 58, 61, Schs. (A)–(C) repealed by [Revenue Act 1869 \(c. 14\)](#), [Sch. \(E\)](#)**50 †Penalty for permitting persons to ride without consent of the hirer, 20s.**

If the proprietor or driver of any hackney carriage which shall be hired shall permit or suffer any person to ride or be carried in, upon, or about such hackney carriage, without the express consent of the person hiring the same, such proprietor or driver shall forfeit [^{F26}level 1 on the standard scale].

Textual Amendments**F26** Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)**Modifications etc. (not altering text)**

- C7** A dagger appended to a marginal note means that it is no longer accurate.
C8 [S. 50](#) modified by [S.I. 1986/1387](#) art. 4(2)

51 †Improperly standing with carriage, or feeding horses in the street; refusing to give way to or obstructing any other driver or depriving him of his fare; penalty 20s.

If any proprietor or driver of any hackney carriage . . . ^{F27} shall wrongfully, in a forcible or clandestine manner, take away the fare from any other such proprietor or driver who, in the judgment of any justice of the peace before whom any complaint of such offence shall be heard, shall appear to be fairly entitled to such fare; every such proprietor, driver, . . . ^{F28} so offending shall forfeit [^{F29}level 1 on the standard scale].

Textual Amendments

- F27** Words repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)
F28 Words repealed by [Statute Law Revision \(No. 2\) Act 1888 \(c. 57\)](#) and [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)
F29 Words substituted by virtue of [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), [s. 31\(5\)–\(9\)](#) and [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 46](#)

Modifications etc. (not altering text)

- C9** A dagger appended to a marginal note means that it is no longer accurate.

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52— F30
54.

Textual Amendments

F30 Ss. 52–54 repealed by Statute Law Revision (No. 2) Act 1888 (c. 57)

55 F31

Textual Amendments

F31 S. 55 repealed by London Cab Act 1968 (c. 7), s. 3(1)

56 †Proprietors, drivers, or watermen misbehaving, penalty, 5*l*. Licence may be revoked.

If the proprietor or driver of any hackney carriage, or any other person having the care thereof, shall, by intoxication, or by wanton and furious driving, or by any other wilful misconduct, injure or endanger any person in his life, limbs, or property, or if any such proprietor or driver, . . . F32 shall make use of any abusive or insulting language, or be guilty of other rude behaviour, to or towards any person whatever, or shall assault or obstruct . . . F33 any officer of police, constable, F34 watchman, or patrol, in the execution of his duty, every such proprietor, driver, . . . F32 or other person so offending in any of the several cases aforesaid, shall forfeit [F35 level 1 on the standard scale] . . . F36F34 F32F34 F32F34 ...

Textual Amendments

F32 Words repealed by Statute Law Revision (No. 2) Act 1888 (c. 57)

F33 Words repealed by Statute Law (Repeals) Act 1989 (c.43), s. 1(1), Sch. 1 Pt. X

F34 Words in s. 56 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 14

F35 Words substituted by virtue of Criminal Law Act 1977 (c. 45, SIF 39:1), s. 31(5)–(9) and Criminal Justice Act 1982 (c. 48, SIF 39:1), s. 46

F36 Words repealed by Summary Jurisdiction Act 1884 (c. 43), Sch. and Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XVII

Modifications etc. (not altering text)

C10 A dagger appended to a marginal note means that it is no longer accurate.

57 Justices empowered to award compensation to drivers or watermen for their loss of time in attending to answer complaints which shall not be substantiated against them.

If any driver of a hackney carriage, . . . F37 shall be summoned or brought before any justice of the peace to answer any complaint or information touching or concerning any offence committed or alleged to have been committed by such driver . . . F37 against the provisions of this Act, and such complaint or information 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 the said justice, if he shall think fit, to order

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and award that the complainant or informant shall pay to the said driver . . . ^{F37} such compensation for his loss of time in attending the said justice touching or concerning such complaint or information as to the said justice shall seem reasonable; . . . ^{F38}.

Textual Amendments

F37 Words repealed by [Statute Law Revision \(No. 2\) Act 1888 \(c. 57\)](#)

F38 Words repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

58 ^{F39}

Textual Amendments

F39 [Ss. 2, 3, 5–17, 19–25, 30–33, 49, 58, 61, Schs. \(A\)–\(C\)](#) repealed by [Revenue Act 1869 \(c. 14\)](#), [Sch. \(E\)](#)

59, 60. ^{F40}

Textual Amendments

F40 [Ss. 37, 43–45, 59, 60](#) repealed by [Statute Law \(Repeals\) Act 1973 \(c. 39\)](#), [Sch. 1 Pt. VI](#)

61 ^{F41}

Textual Amendments

F41 [Ss. 2, 3, 5–17, 19–25, 30–33, 49, 58, 61, Schs. \(A\)–\(C\)](#) repealed by [Revenue Act 1869 \(c. 14\)](#), [Sch. \(E\)](#)

62, 63. ^{F42}

Textual Amendments

F42 [Ss. 18, 62, 63](#) repealed by [Statute Law \(Repeals\) Act 1976 \(c. 16\)](#), [Sch. 1 Pt. XVII](#)

64 ^{F43}

Textual Amendments

F43 [Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78](#) repealed by [Statute Law Revision Act 1874 \(c. 35\)](#)

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F44

Textual Amendments

F44

Ss. 65, 69, Sch. (D) repealed by Summary Jurisdiction Act 1884 (c. 43), Sch.

66, 67.

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F45

Textual Amendments

F45

Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by Statute Law Revision Act 1874 (c. 35)

68

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F46

Textual Amendments

F46

Ss. 68, 70, 71 repealed by Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XVI

69

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F47

Textual Amendments

F47

Ss. 65, 69, Sch. (D) repealed by Summary Jurisdiction Act 1884 (c. 43), Sch.

70, 71.

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F48

Textual Amendments

F48

Ss. 68, 70, 71 repealed by Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XVI

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F49

Textual Amendments

F49

Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by Statute Law Revision Act 1874 (c. 35)

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Textual Amendments

F50 S. 73 repealed by Public Authorities Protection Act 1893 (c. 61), Sch.

74 Construction of the terms used in this Act.

Whenever in this Act, with reference to any person,^{F51} ... matter, or thing, any word or words is or are used importing the singular number or the masculine gender only, yet such word or words shall be understood to include several persons^{F51} ... as well as one person^{F51} ..., females as well as males, bodies politic or corporate as well as individuals, and several matters or things as well as one matter or thing unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

Textual Amendments

F51 Words in s. 74 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), Sch. 1 Pt. 14

75—^{F52}
78.

Textual Amendments

F52 Ss. 1, 26, 29, 34, 38–40, 42, 46, 64, 66, 67, 72, 75–78 repealed by Statute Law Revision Act 1874 (c. 35)

Status:

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