



London Hackney Carriages Act 1843

1843 CHAPTER 86

XXIV Proceedings with respect to Licences on quitting Service.

And be it enacted, That when any licensed Driver or Conductor shall leave the Service of any Proprietor, such Proprietor shall, upon Demand thereof, return to him his Licence : Provided always, that if the said Proprietor shall have any Complaint against the said Driver or Conductor, it shall be lawful for such Proprietor to retain the Licence for any Time not exceeding Twenty-four Hours after the Demand thereof, and within that Time to apply to the Police Court of the District in which the said Proprietor shall dwell, or if he shall dwell in the City of *London* or the Liberties thereof, then to some Justice of the said City, for a Summons against him; and the said Proprietor, at the Time of applying for the Summons, shall deposit the Licence with the Clerk of such Police Court or Justice ; and in case any Proprietor, who, upon Demand thereof, shall have refused or neglected to deliver to any Driver or Conductor his Licence, shall not within Twenty-four Hours, exclusive of Sunday or any Day on which the Police Court shall not sit, apply for such Summons, and deposit the Licence as aforesaid, or shall not appear to prosecute his Complaint at the Time mentioned in the Summons, it shall be lawful for such Driver or Conductor to apply at the same Police Court, or to some Justice as aforesaid, for a Summons against such Proprietor; and upon hearing and deciding the Case the Justice, if he shall think there was no just Cause for detaining the Licence, or that there has been needless Delay on the Part of the Proprietor in bringing the Matter to a hearing, shall have Power to order the said Proprietor to pay such Compensation to the said Driver or Conductor as the said Justice shall think reasonable; and Payment of such Compensation shall be enforced in the same Manner as any Penalty may be enforced under this Act by such Justice ; and the Justice shall cause the Licence to be delivered to the said Driver or Conductor, unless any Misconduct shall be proved against him, by reason whereof the Justice shall think that such Licence should be revoked or suspended ; and so long as any Proprietor shall neglect to apply for such Summons and deposit the Licence, after Demand thereof, any Justice of the Peace may in like Manner from Time to Time order Compensation to be paid by him to the same Driver or Conductor; and no Proprietor shall, under any Pretence or by virtue of any Claim whatever, retain beyond the Time aforesaid the Licence of his Driver or Conductor.