



London Hackney Carriages Act 1843

1843 CHAPTER 86

XXXIX Penalties may be awarded to be paid by Instalments. In case of Nonpayment the Party may be imprisoned. Proviso.

And be it enacted, That it shall be lawful for any Justice of the Peace to hear and determine all Complaints under the Provisions of this Act or of the said recited Act of the Reign of His late Majesty, and to adjudge the Payment of any Penalty or of any Sum of Money under either of the said Acts, or of the Orders and Regulations made pursuant to either of them, and to order Payment of the same, with or without Costs, either immediately, or at such Time and Place, and by such Instalments, as he shall think fit; and in case of Nonpayment of the Sum so ordered to be paid, or of any One Instalment thereof, to adjudge the Party making default to be imprisoned in the Common Gaol or House of Correction for any Term not exceeding Two Calendar Months, with or without hard Labour, such Imprisonment to cease on Payment of the Sum so adjudged or ordered to be paid, or to issue his Warrant for the levying of any such Sum of Money, together with the Costs and Expences of such Warrant or of levying the same, on the Goods of the Party making default, 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 Party making default cannot be found sufficient to answer the Penalty or Sum ordered to be paid, and all such Costs and Expences, to commit such Party to Prison, there to remain for any Time not exceeding Two Calendar Months, unless such Penalty or Sum of Money, 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: Provided always, that no Imprisonment for Nonpayment of any Sum ordered to be paid on account of Wages, or the Earnings of any Carriage, or of any Deposit of Money, shall be for a longer Period than One Calendar Month, or with hard Labour; and all Proceedings whatsoever before any Justice of the Peace under any of the Provisions of this Act or the recited Act of the Reign of His late Majesty, 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.