



ANNO SEXTO & SEPTIMO

GULIELMI IV. REGIS.

Cap. cxxxvii.

An Act to repeal Two Acts of the Reign of King *George* the Second for the Recovery of Small Debts within the City and Liberty of *Westminster*, and for granting more effectual Powers for that Purpose. [19th *August* 1836.]

WHEREAS an Act was passed in the Twenty-third Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the more easy and speedy Recovery of* 23 G. 2. c. 27. *Small Debts within the City and Liberty of Westminster, and that Part of the Duchy of Lancaster which adjoineth thereto*: And whereas an Act was passed in the Twenty-fourth Year of the Reign of His Majesty King *George* the Second, intituled *An Act to explain and* 24 G. 2. c. 42. *amend an Act passed in the last Session of Parliament, intituled 'An Act for the more easy and speedy Recovery of Small Debts within the City and Liberty of Westminster, and that Part of the Duchy of Lancaster which adjoineth thereto,' and for making the said Act more effectual*: And whereas it would facilitate the Proceedings of the said Court, and encourage Trade within the said City and Liberty of *Westminster* and that Part of the Duchy of *Lancaster* which adjoineth thereto, if the Provisions of the said recited Acts were consolidated, and better and more extensive Powers were granted for

[*Local.*]

70 C

the

Recited Acts
repealed.

the more speedy Recovery of Debts : May it therefore please Your Majesty that it may be enacted ; and be it enacted by the King'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 from and after the Tenth Day of *October* next after the passing of this Act the said recited Acts of the Twenty-third and Twenty-fourth Years of the Reign of His Majesty King *George* the Second, and all and every the Clauses, Powers, and Authorities therein contained, shall be and the same are hereby repealed.

All Acts of
Commissioners
under
former Acts
to be valid.

II. Provided always nevertheless, and be it further enacted, That all Acts, Judgments, Orders, and Decrees made or to be made by the Commissioners appointed by virtue of the said recited Acts or either of them on or before the said Tenth Day of *October*, and all Acts, Executions, Distresses, Imprisonments, Penalties, Forfeitures, and Proceedings to be done, suffered, incurred, recovered, or executed in pursuance of such Judgments, Orders, and Decrees, or any or either of them, shall be valid and effectual in the same Manner to all Intents and Purposes as if the said recited Acts or either of them had not been repealed or this Act had not passed, and may be executed and enforced against all Persons liable thereto by the Commissioners and the Officers acting in the Execution of this Act in the same Manner, to all Intents and Purposes, as if such Judgments, Orders, and Decrees respectively had been made by the Commissioners acting in the Execution and under the Authority of this Act.

Commis-
sioners to be
appointed.

III. And be it further enacted, That it shall be lawful to and for all and every the Vestrymen and Parishioners of the several and respective Parishes within the said City and Liberty of *Westminster* and the said Part of the Duchy aforesaid, who have a Right to assemble and meet in Vestry within their respective Parishes, and they are hereby respectively empowered and required, to meet on the Twentieth Day of *September* in the Year of our Lord One thousand eight hundred and thirty-six, and so on the same Day in every succeeding Year, provided the same shall not fall on a *Sunday*, and if it shall, then upon the next Day, at Eleven of the Clock in the Forenoon, in the several and respective Vestries in each of their respective Parishes, and nominate and assign in the whole the Number of Two hundred and forty-two substantial and discreet Persons residing within their respective Parishes, who are to be Commissioners of the Court of Requests in and for the City and Liberty of *Westminster* and that Part of the Duchy of *Lancaster* which adjoineth thereto ; which said Two hundred and forty-two Commissioners shall be nominated and appointed by their respective Parishes in manner following ; that is to say, the Parish of *Saint Margaret* to nominate and appoint Thirty of the said Persons, the Parish of *Saint John the Evangelist* other Twenty of the said Persons, the Parish of *Saint James* other Forty-two of the said Persons, the Parish of *Saint George Hanover Square* other Thirty of the said Persons, the Parish of *Saint Anne* other Twenty-four of the said Persons, the Parish of *Saint Martin-in-the-Fields* toher Forty of the said Persons, the Parish
of

of *Saint Clement Danes*, as well within the Liberty of *Westminster* as without, other Twenty-four of the said Persons, the Parish of *Saint Mary-le-Strand* other Twelve of the said Persons, and the Parish of *Saint Paul Covent Garden* other Twenty of the said Persons; and the Churchwardens of each respective Parish for the Time being, or One of them, shall, within Two Days after such Appointment by the Vestrymen and Parishioners as aforesaid, cause Two Lists to be made out of the several Persons so respectively nominated and appointed as aforesaid, and shall cause one of the said Lists, or a true Copy thereof, to be fixed or stuck up on the Church Door of each respective Parish, and shall deliver or cause to be delivered the other of the said Lists to the Clerk of the said Court or Commissioners, who shall forthwith cause a Copy of such Lists to be made and stuck up in the Place or Court where the said Commissioners shall assemble; which said Persons so nominated and returned by and for the said several Parishes respectively as aforesaid from Time to Time shall be and they are hereby declared, constituted, and appointed Commissioners to hear and determine all such Matters of Debt as are hereafter mentioned; and such Commissioners are hereby constituted and appointed a Court of Justice by the Name of "The Court of Requests for the City and Liberty of *Westminster* and that Part of the Duchy of *Lancaster* which adjoineth thereto"; and the said Court is hereby authorized and empowered to make such Orders, Judgments, and Decrees in the Matters aforesaid, and to award Execution or Attachment thereupon, with or without Costs, against the Goods and Chattels or against the Body or Bodies of all and every the Person or Persons against whom any such Order, Judgment, or Decree shall be given, as shall be consistent with the Laws and Statutes of that Part of the United Kingdom of *Great Britain* and *Ireland* called *England*, and this Act.

IV. And be it further enacted, That the said Commissioners shall and they are hereby empowered to meet and to hold the said Court in some convenient Place or House situated within the said City and Liberty of *Westminster*, to be appointed for that Purpose from Time to Time; and the Court shall be holden at such Time or Times and on such Day or Days in every Week as the said Commissioners shall think fit to order and appoint: Provided always, that the Office of the Clerk of such Commissioners shall be open daily (except *Sundays*) from Ten of the Clock in the Morning until One of the Clock in the Afternoon, for the granting of Summonses, Subpœnas, Warrants, Attachments, and Precepts, and for other Purposes relative to the Business of the said Court; and provided also, that the said Commissioners shall and are hereby required to hold the said Court for the hearing of all Causes and Actions at least on Two Days in every Week.

Commissioners to appoint Place and Days for holding the Court.

The Clerk's Office to be open daily.

Court to be held Twice a Week.

V. And for the more orderly and regular proceeding in the said Court, be it further enacted by the Authority aforesaid, That the said Chief Clerk (who is hereby empowered and required from Time to Time so to do) shall, within Two Days next after such several Lists shall be returned to him as aforesaid, summon or cause to be summoned the first Seven Persons named in each List containing Forty-two or Forty,

Clerk to summon Commissioners.

Forty, the first Five in each List containing Thirty, the first Four in each List containing Twenty-four or Twenty, and the first Two in each List containing Twelve, to attend as Commissioners of the said Court for the Month of *October*; and so the like Number of Persons out of every List as they stand in Order and Rotation therein respectively, to serve as Commissioners from Month to Month during the Time for which they are chosen Commissioners.

Commissioners may sit as such whenever they think fit.

VI. Provided always, and be it further enacted, That nothing herein contained shall extend, or be construed to extend, to exclude or debar any of the Persons who shall be nominated and returned for Commissioners as aforesaid (although they be not in Rotation) from sitting in the said Court, but that all such Commissioners shall and may, as often as they shall respectively think fit, sit and give Judgment therein, any thing herein-before contained to the contrary thereof notwithstanding.

Number of Commissioners to be present.

VII. And be it further enacted, That upon the Hearing or Trial of any Action or Suit by the said Commissioners under and by virtue of this Act, the said Court shall, in case the Debt or Claim sought to be recovered shall not exceed Forty Shillings, consist of Three of the said Commissioners at the least; and if the Debt or Claim shall be above Forty Shillings, then the said Court shall consist of Five of the said Commissioners at the least.

In case sufficient Number of Commissioners do not attend, Court may be adjourned.

VIII. And be it further enacted, That in case a sufficient Number of the Commissioners shall not attend to act in the Execution of this Act as is herein directed on any of the Days appointed or to be appointed for holding the said Court, then and in every such Case it shall be lawful for any of the said Commissioners who shall be present, and if no Commissioner be present it shall be lawful for the said Clerk for the Time being, or his Deputy, or the Assistant Clerks, to adjourn the said Court to the next Day of Meeting, or to some earlier Day.

Qualification of Commissioners.

IX. And be it further enacted, That no Person shall be qualified to act as a Commissioner in the Execution of this Act unless he shall at the Time of his acting be a Householder residing within the Parish which shall have elected him a Commissioner, and shall be seised of Lands, Tenements, or Hereditaments of the yearly Value of Forty Pounds clear of all Incumbrances, or be possessed of a Personal Estate of the Value of One thousand Pounds; and if any Person not being qualified as aforesaid shall act as a Commissioner in the Execution of this Act, or not having taken the Oath herein-after mentioned, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, together with full Costs of Suit, to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Plaint, or Information, wherein no Essoign or Protection shall be allowed; and in every such Action, Bill, Plaint, or Information the Proof of such Qualification shall lie on the Defendant, and it shall be sufficient for the Plaintiff or Prosecutor to prove that the Person so sued or prosecuted had acted

as a Commissioner in the Execution of this Act: Provided nevertheless, that all Judgments, Orders, Decrees, Acts, and Proceedings of all and every Person and Persons acting as a Commissioner and Commissioners in the Execution of this Act, though not duly qualified as aforesaid, previously to his or their being convicted of such Offence, shall, notwithstanding such Offence, be as valid and effectual as if such Person or Persons had been duly qualified according to the Directions of this Act.

Acts of Commissioners good before Conviction.

X. And be it further enacted, That no Person shall act as a Commissioner in the Execution of any of the Powers and Authorities given by this Act (except the Power hereby given of administering Oaths to the Commissioners) until he shall have taken an Oath to the following Effect; (that is to say,)

Commissioners to take the following Oath.

‘ I A. B. do swear, [or, being one of the People called Quakers, Moravians, or Separatists, do solemnly affirm,] That I am seised of Lands, Tenements, or Hereditaments of the yearly Value of Forty Pounds, clear of all Incumbrances [or possessed of Personal Estate of the Value of One thousand Pounds, *as the Case may be*]; and that I will faithfully, impartially, and honestly, according to the best of my Skill and Judgment, hear and determine such Matters and Things as shall be brought before me by virtue of an Act passed in the Seventh Year of the Reign of King *William* the Fourth, intituled [*here insert the Title of this Act*], without Favour or Affection, Prejudice or Malice, to any Person or Persons whomsoever.

‘ So help me GOD.’

[Or being a Quaker, Moravian, or Separatist, omit the Words ‘ So help me God.’]

Which Oath or Affirmation shall and may be administered to the said Commissioners respectively by the Clerk of the said Court, or one of the Assistant Clerks, before One or more of the said Commissioners; and they the said Commissioners shall and are hereby required, after taking the said Oath or Affirmation, to sign or subscribe their respective Names upon a Roll or Rolls of Parchment to be provided for that Purpose with the said Oath and Affirmation written or printed thereon; and such Roll or Rolls shall be carefully kept among the Proceedings of the said Court.

XI. And be it further enacted, That if any Commissioner named or appointed by virtue of this Act shall neglect or refuse to qualify himself by taking the Oath or Affirmation required by this Act, and signing or subscribing his Name on the Roll or Rolls of Parchment herein-before mentioned, within Six Calendar Months from the Date of his Election or Appointment, such Commissioner so neglecting or refusing shall be disqualified and be incapable of acting as a Commissioner in the Execution of this Act: Provided always, that such Commissioner shall not be disqualified or incapable of acting if he shall be re-elected by the Vestrymen of his Parish in any subsequent Year, and shall afterwards take the Oath or Affirmation required by this Act, and shall then sign or subscribe his Name on the Roll or Rolls of Parchment provided for that Purpose.

Commissioners to take Oath &c. or be disqualified.

No Commissioner to be concerned in the Supply of any Articles for the Use of the Court.

XII. And be it further enacted, That no Person who shall act as a Commissioner of the said Court shall, directly or indirectly, be concerned or interested in the supplying of any Articles for the Use of the Place or House in which the said Court shall be held, or in any Repairs, Improvements, Fittings, or Furniture of the same, or in any Contract or Contracts for the supplying any such Articles or performing any such Works respectively; and in case any Commissioner shall be directly or indirectly concerned or interested in the supplying of any Articles for the Use of the said Court, or in any Repairs, Improvements, Fittings, or Furniture of the same, or in any Contract or Contracts for the supplying any such Articles or performing any such Works respectively, every such Commissioner so acting shall forfeit and pay the Sum of Fifty Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster* by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign or Protection shall be allowed.

Appointment of Chairman.

XIII. And be it further enacted, That it shall be lawful at every Court or Meeting of the Commissioners for the Commissioners then present to appoint a Chairman; and the said Chairman, in case of an equal Number of Votes, including such Chairman's Vote, on any Question or Matter brought before the said Court or Meeting, shall have a second or deciding Vote.

A Common Seal to be made and affixed to all Orders, &c.

XIV. And be it further enacted, That the said Commissioners shall cause to be made a Seal with the Words "*Westminster* Court of Requests" thereon, and shall cause to be sealed or stamped therewith all Processes, Orders, and other Proceedings of the said Court; all which said Processes, Orders, and Proceedings, sealed as aforesaid, and having the Name or Names of the Clerk or Clerks of the said Court written or printed thereon, shall be received as Evidence in all Courts whatsoever, without any further Proof; and no such Process, Order, or Proceeding shall be valid or have any Force or Effect, unless the same shall be so sealed or stamped, and have the Name or Names of the Clerk or Clerks as aforesaid.

Commissioners to enter their Proceedings in a Book.

XV. And be it further enacted, That the said Commissioners shall and they are hereby required to make or cause to be made fair and regular Entries in a Book or Books to be provided by them for that Purpose of all Judgments, Acts, Orders, Directions, Rules, and Regulations and Proceedings of them the said Commissioners relative to the Execution of the several Powers and Authorities vested in them by this Act, and also the Names of the Commissioners who shall be present at their respective Courts and Meetings; and such Entries and such Book or Books shall be signed by the Chairman of each respective Court and Meeting, and sealed or stamped in his Presence by the Clerk; and such Entries, when so signed and stamped, shall be received in Evidence in Proof of the Proceedings of the said Court, in all Courts whatsoever.

Present Clerks to continue in Office.

XVI. And be it further enacted, That *John Hodgson* and *Christopher Cuff* shall be and they are hereby constituted and appointed joint Clerks of the said Court of Requests during their respective

respective good Behaviour, who shall and are hereby empowered and required to issue out and register all Summonses, Subpœnas, Warrants, Precepts, Acts, Orders, Decrees, Judgments, Attachments, and Proceedings of the said Court, and shall keep proper Books wherein shall be entered and registered all Acts, Orders, Rules, Regulations, and Proceedings of the same Court; and upon the Death, Resignation, or Removal of either of them, then the remaining one shall be Clerk to the said Commissioners, and shall continue to carry into execution all the Powers and Authorities vested in the said Clerk; and upon the Death, Resignation, or Removal of such remaining Clerk, it shall be lawful for the Commissioners to proceed to elect another Clerk in manner herein mentioned; and the said Commissioners shall and they are hereby empowered to require the said joint Clerks, and their Successors, to give such Security for the due Performance of their Office as the said Commissioners from Time to Time shall think fit to require.

XVII. And be it further enacted, That it shall and may be lawful for the said Commissioners to purchase, hire, or take on Lease any Buildings, Lands, or Hereditaments for the Purposes of converting them into or erecting thereon or using the same as a Court House and other Offices; and all such Buildings, Lands, and Hereditaments which shall be purchased, hired, or taken on Lease shall be conveyed, demised, and assured to "The Commissioners of the Court of Requests for the City and Liberty of *Westminster* and that Part of the Duchy of *Lancaster* which adjoineth thereto;" and the said Commissioners shall and may and they are hereby empowered to accept, take, and hold, in the Nature of a Body Corporate, all such Buildings, Lands, and Hereditaments; and such Commissioners are hereby authorized and empowered to enter into all Contracts, and make and execute all Deeds, and give and take all Securities relative to the said Court, by and in their said Name and Title of "Commissioners of the Court of Requests for the City and Liberty of *Westminster* and that Part of the Duchy of *Lancaster* which adjoineth thereto."

Commissioners to be a Corporate Body for certain Purposes.

XVIII. And be it further enacted, That all Actions and Suits to be commenced or instituted by or on behalf of the said Commissioners shall and lawfully may be commenced or instituted and prosecuted in the Name of their Clerk for the Time being, or of any One of the said Commissioners, as a nominal Plaintiff for or on behalf of the said Commissioners; and all Actions or Suits to be commenced or instituted against the said Commissioners shall be commenced, instituted, and prosecuted against their Clerk, or against any One of the said Commissioners for the Time being, as the nominal Defendant; and no Action or Suit which may be so commenced, instituted, or prosecuted by or against the said Commissioners in the Name of their Clerk or of any One of the said Commissioners, shall abate or be discontinued by the Death, Resignation, Suspension, or Removal of such Clerk or Commissioner, or by any Act or Default of such Clerk or Commissioner done or suffered without the Consent or Direction of the said Commissioners, but such Clerk or Commissioner shall be always deemed Plaintiff

Actions and Suits may be commenced in the name of the Clerk.

or

or Defendant, as the Case may be, in every such Action or Suit: Provided always, that in all Cases in which the Clerk of the said Commissioners, or any One of the said Commissioners as aforesaid, shall be the Plaintiff or Defendant on the Record in any Action or Proceeding in which in effect the said Commissioners shall be suing or be sued, pleading or impleaded, in the Name of such Clerk or of any such Commissioner as aforesaid, such Clerk or such Commissioner, as the Case may be, may and shall, if not otherwise interested, be a good and competent Witness in any such Action or Proceeding either for or against the said Commissioner; and all Affidavits of Debt or Service which may be necessary to be made in reference to any such Action or Proceeding may be lawfully made by such Clerk or by such Commissioner, as the Case may be, notwithstanding he shall be nominal Plaintiff or Defendant on the Record as aforesaid: Provided always, that no such Clerk or Commissioner in whose Name as such nominal Plaintiff any Action or Suit shall be commenced or prosecuted by the said Commissioners, or against whom as such nominal Defendant any Action shall be commenced or prosecuted, shall by reason thereof be liable to or become chargeable with any Costs, Damages, or Expences, but that every Plaintiff suing the said Commissioners in the Name of their said Clerk or any One of the said Commissioners shall, on obtaining Judgment in any such Action or Suit, have the like Remedies for Satisfaction thereof as if the said Commissioners had been made Defendants in such Action or Suit.

General Meeting of Commissioners may take place on Summonses being issued by the Clerk.

Special General Meetings may be called.

Powers to make Rules and Orders for the Conduct of the Court.

XIX. And be it further enacted, That the Chief Clerk for the Time being shall summon any and every General Meeting of the said Commissioners to be holden for any of the Purposes of this Act by causing a printed or written Notice, mentioning the Time and Place of such intended Meeting, together with the Purposes for which such Meeting is to be held, to be left at the respective Places of Abode of the said Commissioners Three clear Days at least before such Meeting is to be holden; and that no Business shall be done at such General Meeting until Forty Commissioners at least are present; and each and every such General Meeting shall and may be adjourned from Time to Time as the major Part of the Commissioners present shall deem proper: Provided also, that it shall and may be lawful for any Five or more of the said Commissioners at any Time, by Notice in Writing signed by them, to require a Special General Meeting of the said Commissioners to be called for the Purpose to be mentioned by them in such Notice, which Notice shall be addressed to the Clerk of the said Court, and be left for him at the Office of the said Court Nine clear Days at least before such intended Meeting; and thereupon the said Clerk shall cause such Notice to be given to all the Commissioners to attend such Meeting for the Purpose mentioned in such Notice as is herein directed as to the usual and ordinary General Meetings.

XX. And be it further enacted, That at any Special General Meeting to be convened as aforesaid the said Commissioners or the major Part of them shall and may make Rules, Orders, and Regulations for the better Management, Conduct, and Practice of the said Court,

Court, and also for the Government and Direction of the several and respective Clerks, including the Chief Clerk or Clerks, High Bailiff, Assistant Bailiffs, Court Keepers, and all other Officers and Persons employed in and about the said Court, and also as to the keeping the Accounts, and the Entries of the several Proceedings of the said Court, and all other Matters relating thereto, and from Time to Time, at any Meeting or Meetings to be convened in the Manner and as herein-before mentioned, to vary, alter, extend, amend, or annul the said Rules, Orders, and Regulations relating to or in any Manner concerning the several Matters aforesaid, or of any or either of them.

XXI. And be it further enacted, That at any such Special General Meeting as aforesaid, to be convened for that Purpose, it shall and may be lawful for the said Commissioners or the major Part of them at such Meeting to dismiss, remove, or suspend both or either of the said Clerks, upon Proof being given to the Satisfaction of such Commissioners, or the major Part of them present at such Meeting, of the Misbehaviour or Breach of Duty of such Clerks or Clerk.

Power to dismiss the Clerks.

XXII. And be it further enacted, That every Person who shall have any Book, Paper, Writing, or Document of and belonging to the said Court of Requests established by Authority of the above-recited Acts, or either of them, shall and he is hereby required, within Two Calendar Months after the Commissioners to be appointed under and by virtue of this Act shall have been nominated and appointed, to hand over and deliver every such Book, Paper, Writing, or Document to such Commissioners, which said Books, Papers, Writings, or Documents shall and they are hereby declared to be the Property of the said Commissioners for the Time being.

Books to be handed over to Commissioners.

XXIII. And be it further enacted, That the Person who for the Time being shall hold and execute the Office of High Bailiff of the City and Liberty of *Westminster* shall be the Chief Bailiff of the Court constituted by this Act, and shall, at least for the Space of One Hour, attend at every Sitting of the said Court, and at all General and Special Meetings of the said Commissioners, except only upon reasonable Cause of Absence to the Satisfaction of and to be allowed by the said Commissioners, in which Case the Deputy of the said High Bailiff, lawfully appointed, shall attend the said Court in like Manner; and that the said High Bailiff shall, by himself or his Deputy or Assistant Bailiffs, such Assistant Bailiffs to be appointed by him subject to the Restrictions herein-after contained, and to be paid by the said Commissioners as herein-after mentioned, serve and execute all Summonses, Subpœnas, Orders, Warrants, Attachments, Executions, and other Processes and Proceedings of the said Court; and that the said High Bailiff, his Deputy and his Assistant Bailiffs respectively, shall, in the Execution of their Duties, be subject to the Order, Control, and Direction of the said Court, and to all such Rules, Orders, and Regulations as shall from Time to Time be made by the said Court or the said Commissioners under the Powers herein contained; and that the said High Bailiff

High Bailiff of Westminster to be the Chief Bailiff of the Court.

Duty of the Bailiff and his Officers.

[Local.]

70 E

shall

shall be chargeable with and be liable to the Payment of all Sums of Money which shall be received by him, or his said Deputy, or any of his said Assistant Bailiffs, by virtue or under colour of the Process of the said Court or of this Act, and shall duly account for and pay the same as the said Court shall from Time to Time order and direct, and shall in all other respects be responsible for the Acts, Neglects, Omissions, and Defaults of himself, his Deputy and his said Assistant Bailiffs respectively, in the same Manner to all Intents and Purposes whatsoever as Sheriffs are by the Laws and Usages now in force within that Part of the United Kingdom of *Great Britain and Ireland* called *England* responsible for the Acts, Neglects, Omissions, and Defaults of themselves, their Bailiffs and other Officers.

High Bailiff
to appoint
Assistant
Bailiffs or
Bailiff's Offi-
cers of the
Court.

XXIV. And be it further enacted, That it shall be lawful for the said High Bailiff, and he is hereby fully authorized and empowered, by any Writing under his Hand, from Time to Time, but subject to the Restrictions herein expressed, to nominate a sufficient Number of able, fit, and proper Persons to be the Assistant Bailiffs of the said High Bailiff, to attend the Court constituted by this Act, and also to assist in serving and executing all Summonses, Subpœnas, Orders, Warrants, Attachments, Executions, and other Processes and Proceedings of the said Court, and upon the Death, Resignation, Dismissal, or Removal of any such Person or Persons, to appoint another or others in the Place or Stead of the Person or Persons so dying, resigning, dismissed, or removed; and every such Assistant Bailiff who shall be so appointed by the said High Bailiff shall be subject to the Order, Control, and Direction of the said Court, and to all such Rules, Orders, and Regulations as shall from Time to Time be made by the said Court or the said Commissioners under the Powers herein contained, and shall also be subject to Suspension and to Dismissal by the Court, in the Manner hereinafter expressed: Provided always, that nothing herein contained shall extend to authorize or empower the said High Bailiff to appoint or retain more than Three such Assistant Bailiffs at the same Time, except with the express Assent of a Majority of the Commissioners assembled at a Special Meeting convened under the Provisions of this Act for the express Purpose of considering the Expediency of such Appointment.

For the Pay-
ment of the
High Bailiff
and of his
Assistant
Bailiffs.

XXV. And be it further enacted, That it shall and may be lawful for the Commissioners for the Time being acting in the Execution of this Act, and they are hereby directed and required, to order and direct and cause to be paid to the Person or Persons who for the Time being shall hold and execute the Office of High Bailiff of the City and Liberty of *Westminster*, and to each of his Assistant Bailiffs appointed as aforesaid, from and out of the Fees by this Act authorized to be demanded and received for or in respect of the Acts and Proceedings of the said Court, such Salaries as are hereinafter mentioned; (that is to say,) to the said High Bailiff the annual Sum of Two hundred and fifty Pounds, to commence from the Tenth Day of *October* next after the passing of this Act, and to be thenceforth paid by quarterly Portions on the Fifth Day of *January*, the Fifth Day

Day of *April*, the Fifth Day of *July*, and the Tenth Day of *October* in each Year, without any Deduction or Abatement whatsoever, other than as herein-after is specially provided for; and to each of the said High Bailiff's Assistant Bailiffs a weekly Salary in the Discretion of the said Commissioners, not being less than at and after the Rate of Eighty Pounds *per Annum* for each such Assistant Bailiff, the Payment to each such Assistant Bailiff to commence upon and from that *Monday* which shall first happen next after that Court Day on which the Appointment of such Assistant Bailiff shall be deposited by him with the Clerk of the said Court (who is hereby required to retain and preserve the same with the other Records of the said Court), and thenceforth be paid to him respectively on *Monday* in every Week, also without any Deduction or Abatement whatsoever other than as herein-after specially provided for, so long as he shall retain his said Appointment, and execute all the Duties belonging or incident thereto; and the Salaries to be so paid to the said High Bailiff and his said Assistant Bailiffs respectively shall be paid to and received by them respectively as a full and complete Payment, Recompence, and Satisfaction for the due and faithful Execution of all Duties and Services which they respectively are or shall be required to perform in pursuance or under the Authority of this Act.

XXVI. Provided always, and be it further enacted, That if at any Time or Times hereafter the Office of High Bailiff of the City and Liberty of *Westminster* shall become vacant by Death, Resignation, or otherwise, the Salary herein-before directed to be paid to the said High Bailiff shall cease to be payable during the Time such Office shall be vacant; and it shall and may be lawful to and for the said Commissioners, or the major Part of them, at any Meeting or Meetings to be convened for that Purpose, to nominate and appoint such fit and proper Persons or Person to execute the Process of the said Court as aforesaid during the Time of such vacant Office of High Bailiff, and to pay to such Persons and Person, out of the Fund applicable to the Payment of the Salary of the High Bailiff for the Time being, such Salary, during the Time he or they shall be so employed during such Vacancy as aforesaid, as the said Commissioners at such Meeting shall from Time to Time deem meet, and shall determine and direct.

Upon the Death or Resignation of the High Bailiff the Salary to cease, and another Officer to be appointed pending the Vacancy.

XXVII. Provided always, and be it further enacted, That if the said High Bailiff for the Time being shall at any Time or Times refuse or neglect to perform all or any of the Duties hereby imposed upon him, or shall otherwise misbehave himself in the Execution of his Office, it shall and may be lawful to and for the Commissioners present at any Meeting or Court under the Authority of this Act, or the major Part of them, the Number present not being less than Three, to inquire into and determine such Offence, and upon Proof thereof upon the Oath or Oaths of One or more credible Witness or Witnesses, to the Satisfaction of the said Commissioners, to impose such Fine or Forfeiture upon the said High Bailiff, not exceeding Ten Pounds for each Offence, as the said Commissioners shall deem adequate, and to order the said High Bailiff to pay to the Chief Clerk

Penalty on High Bailiff for Neglect of Duty.

Clerk of the said Commissioners such Fine; all such Fines to be accounted for and applied in the same Manner as any Fees hereby authorized to be demanded and received in respect of any Proceedings of the said Court are directed to be applied; and in case of Nonpayment of any such Fine and Fines by the said High Bailiff, it shall be lawful to and for the said Commissioners to deduct and retain the same from the Salary hereby authorized to be paid out of the Fees to such High Bailiff as aforesaid: Provided always, that in all Cases when the said Commissioners shall, under the Authority of this Act, impose and order any Fine or Fines upon the said High Bailiff, it shall and may be lawful to and for the said High Bailiff to appeal to any Two Justices of the Peace acting for the County of *Middlesex*, who are hereby authorized to hear and determine such Matter of Appeal, and make such Order thereon as to them shall seem just and reasonable.

Penalty for taking greater Fees than those allowed by the Court.

XXVIII. And be it further enacted, That if the said Assistant Bailiffs from Time to Time to be appointed as aforesaid, or any or either of them, shall take, demand, accept, or receive any Sum or Sums of Money or Gratuity for or relating to or connected with the Duty to be performed by him or them respectively under the Provisions of this Act, or if they, or any or either of them, shall at any Time or Times refuse or neglect to perform his or their Duty as such Assistant Bailiffs, or otherwise act contrary to the Provisions of this Act, or in disobedience of any or either of the Rules, Orders, and Regulations to be made by the said Commissioners in pursuance of this Act, it shall and may be lawful to and for the said Commissioners sitting in Court, or any Three of them, for each and every Offence, and upon due Proof thereof upon Oath as aforesaid to the Satisfaction of the said last-mentioned Commissioners, to fine and order such Assistant Bailiffs to pay to the Chief Clerk of the said Court any Sum or Sums of Money not exceeding the Sum of Five Pounds; all such Fine and Fines to be accounted for by the said Clerk and applied under the Directions of the Commissioners for the general Purposes of this Act; and unless such Fine and Fines shall be paid within Two Days after the same shall be imposed and ordered as aforesaid, it shall be lawful to and for any Three of the said Commissioners to suspend such Assistant Bailiffs from the further Execution of his Office, and Payment of any Salary to him as aforesaid, until the Payment of such Fines and the further Order of the said Court.

A General Meeting of Commissioners to be called if the Assistant Bailiffs conduct themselves improperly.

XXIX. And be it further enacted, That if upon Complaint made by any Person or Persons of the Misbehaviour of any or either of the said Assistant Bailiffs it shall appear to the Commissioners present at any Sitting of the Court, or a Majority of them, that such Assistant Bailiff deserves a greater Punishment than before provided, it shall and may be lawful for the said last-mentioned Commissioners to direct a General Meeting of the said Commissioners to be convened, to take the Conduct of such Assistant Bailiff into consideration; and it shall and may be lawful to and for the said Commissioners or the major Part of them present at such Meeting, upon Proof of such Misbehaviour upon Oath as before mentioned, to dismiss

dismiss or remove such Assistant Bailiff; and the said Chief Clerk shall from Time to Time and at all Times, when any Dismissal or Removal shall take place as aforesaid, give Notice in Writing thereof to the said High Bailiff, who is hereby authorized and required upon the Determination of the said Commissioners as aforesaid, to nominate and appoint some other fit and proper Person or Persons to fill up such Office or Offices within One Calendar Month from the Time of serving such Notice; and in case of Neglect or Refusal of the said High Bailiff from Time to Time and as often and when any and every such Dismissal or Removal shall so take place, and Notice thereof given as aforesaid, it shall and may be lawful for the said Commissioners, or the major Part of them, at a Meeting to be convened for that Purpose, to nominate and appoint a fit and proper Person or Persons as such Assistant Bailiff or Bailiffs in the Room of the Person or Persons so dismissed or removed as aforesaid.

XXX. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or the major Part of them, assembled at a Meeting for that Purpose convened, to nominate and appoint, during his and their good Behaviour, such other fit and proper Person or Persons as Assistant Clerks, Criers, and other Officers, as may appear to the said Commissioners or the major Part of them then present to be requisite for carrying any of the Purposes of this Act into execution; and every such Clerk, Assistant Clerks, Crier, or other Officer shall be subject to the Pains and Penalties of Removal, and to the Rules, Orders, and Regulations herein expressed and hereby authorized to be made; and when and as often as it shall happen that the Office or Offices of any Assistant Clerks, Criers, or other Officer shall become vacant, either through Death or Resignation, or Suspension, Dismissal, Removal, or Incapacity, then and in every such Case it shall be lawful for the said Commissioners, or the major Part of them, assembled at a Meeting to be convened for that Purpose, as soon as conveniently may be after such Vacancy shall happen, to nominate and appoint another fit and proper Person or Persons to be Clerk, Crier, or other Officer during his and their good Behaviour, to be in like Manner subject to the Pains and Penalties and Powers of Removal, and to the Rules and Regulations herein expressed or authorized to be made; and every such Nomination and Appointment of any Officer or Officers of the said Court of Requests shall be authenticated by Writing under the Hand and Seal of the Chairman of the Meeting; and the Production thereof shall in all Cases be deemed sufficient Evidence of the Nomination and Appointment to the Office therein mentioned, without further or other Proof whatsoever.

Appoint-
ment of
Officers.

XXXI. And be it further enacted, That on the first usual Day of holding the said Court in the Months of *January, April, July, and October* in every Year after the passing of this Act, an Account in Writing of all Fees and Emoluments whatsoever received or made by the Clerk hereby appointed, or his Successor, and also an Account in Writing of the Cash paid into Court or otherwise received, and taken out of the same by the Suitors (so that the Surplus of Cash then remaining in the Hands of the Clerks and belonging to the said Suitors may clearly appear), made up to the last Day of the preceding Month

Clerk to ac-
count Quar-
terly.

[*Local.*]

70 F

inclusive,

inclusive, shall be given on solemn Declaration by the said Clerk hereby appointed, or his Successor, before the Commissioners then sitting in Court, or any Three of them; and such Account, so verified and made up, shall be left with and belong to the said Commissioners, and shall be sealed and filed by them, and be deemed public Documents or Records belonging to the said Court, and as such shall and may be given in Evidence by or on behalf of the said Commissioners or Suitors in any other Court or Place; and if the Amount of Fees and Emoluments taken or received by the said Clerk, together with the Surplus of Cash then remaining in the Hands of the said Clerk as aforesaid, shall exceed the Sum of One hundred Pounds, the Balance shall from Time to Time be paid into the Bank of *England* to an Account to be entitled "The Account of the Commissioners of the Court of Requests for the City and Liberty of *Westminster* and that Part of the Duchy of *Lancaster* which adjoineth thereto," and that no Sum of Money shall be drawn out of the said Bank, except by a Check to be signed by Three of the said Commissioners, and countersigned by the said Clerk: Provided always, that nothing herein contained shall be construed to take away from the Commissioners, at any General or Special Meeting, the Power to call upon their Clerk or other Officers to produce or make out any Account or Accounts of Monies which may have passed through his or their Hands.

Commis-
sioners may
appoint De-
puty Clerk.

XXXII. And be it further enacted, That it shall and may be lawful to and for the Commissioners of the said Court for the Time being to nominate a Deputy to act for the Clerk of the said Court; and such Deputy in the Absence of the said Clerk shall have the same Authority as if the Clerk himself was personally present, and shall from Time to Time be displaceable and removeable and shall accordingly be displaced and removed at the Will and Pleasure of the said Commissioners for the Time being; and such Deputy is hereby empowered and required, in the Absence of the said Clerk, to issue all Summonses, Subpœnas, Warrants, and Precepts, and to register all Orders, Decrees, and Judgments of the said Court, and to do all such Acts, Matters, and Things as are directed and required to be done by the said Clerk by virtue of the said Act, and shall enter and register, or cause to be entered and registered, in proper Books to be provided and kept for that Purpose, all the Acts and Proceedings of the said Court of what Nature or Kind soever: Provided always, that nothing herein contained shall extend or be construed to allow the said joint Clerks or their Successors to absent themselves from any Court or any General or Special Meeting of the said Commissioners without the Consent of Three or more of the said Commissioners sitting in the Execution of this Act.

Clerk and
Deputy to do
all Things
ordered by
Commis-
sioners.

XXXIII. And be it further enacted, That the Clerk of the said Court and the Deputy Clerk shall do and perform all such Acts, Matters, and Things relative to the said Court as he or they shall be directed or appointed by the said Commissioners to do and perform.

Commis-
sioners to

XXXIV. And be it further enacted, That it shall and may be lawful for the said Commissioners, or the major Part of them, and they

they are hereby required, from Time to Time, at the Times of rendering the Accounts of the Clerk as herein-before directed, or at any Adjournment thereof, to pay out of the Monies in their Hands the Rent and Taxes of the said Court House and Offices, and all Salaries and other Disbursements and Expences relative to the said Court and for the Purposes of carrying this Act into effect.

pay Rent, Salaries, and Expences of the Court.

XXXV. And be it further enacted, That the several Clerks, Assistant Clerks, Criers, Officers, and other Persons appointed in manner herein-before mentioned shall be and are hereby authorized and required to do and perform all such other Acts, Matters, and Things as may be required to be done by this Act or by the said Commissioners; and the said Commissioners may and are hereby empowered to take sufficient Security from every such Clerk, Crier, Assistant Clerk, Officer, and other Person as they may think necessary for the due and faithful Execution of his Office.

Clerks, &c. to do all Matters required.

Security to be taken from Clerks, &c.

XXXVI. And whereas the Four Counsel of the Court of the Marshalsea and Court of His Majesty's Palace of *Westminster*, who hold their Offices for the Terms of their natural Lives respectively, will sustain Loss by this Act, unless a Compensation shall be made to them for the same: And whereas Compensation has been given to the Four Counsel of the said Courts for the Time being by former Acts of the like Nature; be it therefore enacted, That the said Commissioners of the said Court of Requests hereby constituted for the Time being shall and they are hereby required, out of the Fees hereby established and to be received and taken, to pay or cause to be paid unto *Henry James Ross, Stephen Gazelee, Thomas Collett, and Peter Stafford Carey*, Esquires, the present Counsel of the said Court of the Marshalsea and Court of His Majesty's Palace of *Westminster*, as a Compensation for the Loss they will sustain in their Offices by this Act, the yearly Sum of Twenty Pounds respectively of lawful Money of *Great Britain*, by equal quarterly Payments on the Tenth Day of *January*, the Tenth Day of *April*, the Tenth Day of *July*, and the Tenth Day of *October* in each and every Year, so long as they shall respectively hold their said Office of Counsel and as such practise in the said Court.

Compensation to Counsel of Marshalsea and Palace Court.

XXXVII. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby empowered and enabled, to decide and determine all Disputes and Differences between Party and Party for any Sum of Money not exceeding Five Pounds in all Actions or Causes of Debt, except as herein-after is mentioned.

What Debts shall be decided by the Commissioners.

XXXVIII. Provided always, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to enable the said Court to entertain or determine any Dispute or Difference whatsoever in respect of any Act done in the Execution or Discharge of any Public Office or Employ, or in respect of any Liability or supposed Liability implied in or inferred from the holding of such Office or Employment, or arising therefrom or in consequence thereof, or to determine the Right or Title to any Lands, Tenements, or Hereditaments or Real Estates whatsoever, or to judge, determine,

Certain Debts to which this Act is not to extend.

or

or decide on any Debt where the Title of the Freehold or Lease for Years, not being a Lease by Parol, of any Lands, Tenements, or Hereditaments, or of any Chattels Real whatsoever, shall be brought or come in question, or for any Sum being the Balance of any Account originally exceeding Five Pounds, except as herein-after mentioned, nor to any other Debt which shall arise by reason of any Cause concerning Testament or Matrimony, or any thing concerning or properly belonging to the Ecclesiastical Court, or for or concerning any Agreement by way of Composition by or by way of Retainer of Tithes, or for or by reason of any Bye Law, or to any Debt for Tolls or Customs due to any Corporation or Company, or in anywise relating to the Franchises, Privileges, or chartered Rights of any other Bodies Politic or Corporate, or any Premium or any Policy of Insurance.

Statute of Limitations may be pleaded.

XXXIX. And for removing all Doubts whether the Statute of Limitations may be pleaded in the said Court of Requests, be it further enacted and declared, That all Defendants in the said Court shall be allowed to plead or claim any Statute of Limitation now in force or hereafter to be made; and every Defendant so pleading or claiming shall have and receive such and the like Advantage and Relief thereby as such Defendant would have been entitled to in case this Act had not been made, and he, she, or they had been sued for the same Debt or other Cause of Action in any of His Majesty's Courts at *Westminster*, or any other Court, and had there pleaded such Statute in bar to the Action or Suit.

Power to sue Infants in the Court of Requests for Debts contracted for Necessaries.

XL. And be it further enacted, That in every Case where a Debt not exceeding Five Pounds shall be contracted for Necessaries by any Person under the Age of Twenty-one Years, and residing or inhabiting or employed as Clerk, Officer, Book-keeper, Journeyman, Shopman, or Labourer, or otherwise seeking or obtaining a Livelihood within the City and Liberty of *Westminster* or that Part of the Duchy of *Lancaster* which adjoineth thereto, and such Debt would be recoverable against such Person by an Action for the same in any of His Majesty's Courts at *Westminster*, it shall be lawful for the Person or Persons to whom such Debt shall be due to sue for and recover such Debt in the said Court in the same Manner as if the Person by whom the Debt shall be contracted were of full Age; and that in every Case where any Wages or other Debt or Debts, not exceeding the Sum of Five Pounds, shall be due to any Menial Servant or other Person under the Age of Twenty-one Years, it shall be lawful for such Servant or other Person to sue for and recover such Debt or Debts in the said Court in the same Manner as if he or she were of full Age; and the said Commissioners are hereby fully authorized and required in such Case to take cognizance of and proceed concerning such Debt in the same Manner, and shall have such and the same Powers in regard thereto, as if the Plaintiff and Defendant were of full Age.

This Act not to prevent any Distress or Action for Rent.

XLI. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend to prevent or restrain any Person or Persons from making Distress or bringing any

any Action or Actions whatsoever for Rent, and thereby recovering such Rent with Costs, although the same Rent shall not amount to the Sum of Five Pounds.

XLII. Provided always, and be it further enacted, That nothing herein contained shall extend or be construed to extend so as to enable any Plaintiff to split or divide any Cause of Action for Recovery of any Debt or Demand where the whole Sum that shall appear to be due and owing shall amount to more than Five Pounds, in order that the same may be made the Ground of Two or more Actions, Causes, or Matters in controversy for the Purpose of bringing such Actions, Causes, or Matters within the Jurisdiction of the said Court; and in case it shall appear to the said Commissioners that any Plaintiff shall have so split or divided his or her Cause of Action, Debt, or Demand as aforesaid, except to bring it within the Power herein-after contained, then and in every such Case the said Commissioners shall and they are hereby required to dismiss, with Costs, every such Action, Cause, or Matter so split or divided; but such Dismissal shall not hinder or prevent such Plaintiff from proceeding for the Recovery of his or her Debt in any of His Majesty's Courts of Record at *Westminster*, or in such other Manner as he or she might have lawfully proceeded if this Act had not been passed.

For preventing the splitting or dividing of Debts.

XLIII. Provided also, and be it further enacted, That in case any Plaintiff who shall have so split or divided such his or her Cause of Action, Debt, or Demand as aforesaid, or to whom the whole Sum that shall appear to be due shall exceed the Sum of Five Pounds, shall declare to the Commissioners that he or she is willing to accept such Sum of Money as the said Court is in and by this Act enabled to adjudge and order to be paid in full of the Whole of such Debt or Demand in such Action or Cause, then and in every such Case the said Commissioners shall and may, on such Plaintiff adducing Proof respecting his or her Debt or Demand to the Satisfaction of the said Commissioners, adjudge, decree, and order such Sum to the Plaintiff, not exceeding Five Pounds, as to the said Commissioners shall seem just and reasonable; and such Sum shall, in the Order, Judgment, or Decree to be given by the said Commissioners, be declared to be and shall be in full Discharge of all Demands from the Defendant to the Plaintiff in such Action, Cause, or Matter in controversy; and the Plaintiff shall be precluded from afterwards proceeding in any other Court for or on account of such Debt.

For empowering Plaintiffs to reduce their Demand to Five Pounds, provided they accept the same in full for their respective Debts.

XLIV. And be it further enacted, That from and after the Tenth Day of *October* next after the passing of this Act it shall be lawful for any Person or Persons, whether such Person or Persons shall or shall not reside within the City and Liberty of *Westminster* or that Part of the Duchy of *Lancaster* which adjoineth thereto, and for all Bodies Politic or Corporate, who now have or hereafter shall have any Debt or Debts, Demand or Demands, upon any Contract or Agreement, or for or in respect of Wages or Rent or otherwise howsoever, (which the said Commissioners are by this Act enabled to determine, and except such as they are expressly prohibited from determining),

Debtors within Jurisdiction may be summoned before Commissioners, who shall adjudge between Parties.

[*Local.*]

70 G

owing

owing or due to or claimed or demanded by such Person or Persons, Bodies Politic or Corporate, in his, her, or their own Right, or in the Right of any other Person or Persons to whom he, she, or they shall be Executor or Administrator, Guardian or Trustee, or due and owing to him as Collector of any Rates or Taxes, or as a Clerk or other Officer to any Commissioners, or to any Club or Friendly Society duly associated and constituted, or in any other Manner whatever (except as aforesaid), and for which Debt or Demand he, she, or they shall claim any Sum of Money from any Person or Persons whomsoever residing or inhabiting within the said City and Liberty of *Westminster* or that Part of the Duchy of *Lancaster* which adjoineth thereto, or keeping or using any House, Warehouse, Wharf, Quay, Counting-house, Chambers, Lodging, Office, Shop, Shed, Stall, or Stand, or employed, working, or seeking a Livelihood, or trading or dealing within the same City and Liberty and Part of the Duchy, to apply to the Clerk of the said Court for the Time being, or his Assistants, who shall make out and deliver to the said High Bailiff or his Assistant Bailiffs for the Time being a Summons written or printed, or partly written and partly printed, directed to such Debtor or Debtors, expressing the Sum demanded of him, her, or them, the Nature of the Demand, with the Name of the Party or Body demanding the same, and requiring such Debtor or Debtors to appear, at a certain Time and Place to be mentioned in such Summons, before the Commissioners of the said Court to answer such Demand or Demands; and such High Bailiff or Assistant Bailiffs shall in due Course serve or cause such Summons to be served on such Debtor or Debtors, either personally or by leaving the same with his, her, or their Servant or other Person belonging to him, her, or them, or the Master or Mistress of the House, at the Dwelling House, or at the Wharf, Quay, Lodging, Place of Abode, Warehouse, Counting-house, Chambers, Office, Shop, Shed, Stall, Stand, or other Place of dealing, trading, or working or Resort of such Debtor or Debtors, being within the Jurisdiction of the said Court, Two clear Days at the least previous to and exclusive of the Day appointed in the said Summons for the Hearing thereof; and upon the Appearance of the Debtor or Debtors the said Commissioners present in Court (such Number not being less than by this Act directed) are hereby empowered and required to make due Inquiry concerning such Demands, and make such Orders and Decrees therein, and pass such final Sentence or Judgment thereupon, and award such reasonable Costs of Suit, as to them shall seem most agreeable to Equity and good Conscience; and they may order and direct the Payment of any such Demands to be made either at One Sum at once, or by Instalments at stated Periods, as they shall see Cause and deem just and reasonable; and as well the Plaintiff or Plaintiffs as the Debtor or Debtors whom such Order or Orders, Decree or Decrees, Judgments, and Proceedings respectively shall concern, shall duly perform, observe, and keep the same; and for the better Discovery of the Truth and more solemn Determination of the Matters and Causes which shall be depending in the said Court, it shall be lawful for the said Commissioners present in the said Court to administer an Oath or Oaths to any Officer or Officers of the said Court, or to all or any of the Parties, or his, her, or their Agent or other Person appearing on his, her, or their Behalf, whom they the

said Commissioners shall think proper to examine touching the Matters then in question, and also to any other Person or Persons whose Evidence shall seem necessary toward the hearing or determining of any of the said Actions or Causes, or making an Order or Decree therein, or for any other Purpose requisite to the Execution of this Act.

XLV. And be it further enacted, That if any Debtor or Debtors who shall have been duly summoned as aforesaid shall not appear either in Person, or by his, her, or their Agent, or some other Person on his, her, or their Behalf, before the said Court at the Time and Place mentioned in the said Summons, then and in every such Case it shall be lawful for the said Court, after Proof made to the Satisfaction of the said Court of the Service of the said Summons, to make such Order, Attachment, Decree, or Judgment therein as to them shall seem just and equitable, and to appoint some certain Time and Place according to their Discretion for such Debtor or Debtors to show Cause before the said Commissioners against such Order, Decree, or Judgment so pronounced *ex parte* as aforesaid; at which Time and Place, or any subsequent Court or Courts, it shall be lawful for the said Court, whether such Debtor or Debtors shall then appear and show Cause or not, upon Proof made that a Copy of such Order, Decree, or Judgment had been given to such Debtor or Debtors, or left with his, her, or their Servant or other Person belonging to him, her, or them, or the Master or Mistress of the House, at the Dwelling House, Wharf, Quay, Lodging, Place of Abode, Warehouse, Counting-house, Chambers, Office, Shop, Shed, Stall, Stand, or other Place of dealing, trading, or working, or resorting of such Debtor or Debtors, being within the Jurisdiction of the said Court, to make and pronounce such final Order, Judgment, or Decree therein, and to award such reasonable Costs of Suit, as to them shall seem most agreeable to Equity and good Conscience.

If any Debtor does not appear when summoned Commissioners may proceed

XLVI. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff, on the Trial of any such Action or Cause as aforesaid, of any Demand except such as is stated in the said Summons hereby directed to be given, nor shall any Evidence be admitted on the Behalf of the Defendant or Defendants, on the Trial of such Action or Cause, of any Demand he, she, or they may have on the Plaintiff or Plaintiffs in the Nature of a Set-off to lessen or discharge himself, herself, or themselves from the said Action or Cause, unless Notice thereof in Writing shall have been given to the Clerk of the said Court, or left for him at the Office of the said Court.

Restricting Evidence on Trial of Causes and Actions.

XLVII. Provided always, and be it further enacted, That no Orders, Decrees, Judgments, or other Proceedings made or taken by the said Commissioners in pursuance of this Act shall be removed or removeable into any other Court by Certiorari or otherwise howsoever.

No Action removeable by Certiorari.

XLVIII. And be it further enacted, That where any Debt shall be due, owing, or demanded from any Two or more Persons jointly,

How Persons may be summoned from whom
the

Debts shall be jointly due.

the like Service of any such Summons as aforesaid on or for any One of such Two or more joint Debtors shall be as good and sufficient in Law as if each of them were separately summoned as aforesaid.

Attorneys not exempt from the Jurisdiction of the Courts.

XLIX. And be it further enacted, That no Privilege shall be allowed to exempt any Person from the Jurisdiction of the said Court of Requests, on account of his being an Attorney or Solicitor or any other Officer of any Court of Law or Equity at *Westminster*, or of any other Court whatsoever; but that all Attorneys, Solicitors, and Officers shall be subject to the several Processes, Orders, Judgments, and Executions of the said Court of Requests, in the same Manner as any other Persons are subject to the same by this Act or otherwise.

No Attorney, Solicitor, or Scrivener, or Practiser of the Law to be an Advocate in the Court.

L. And be it further enacted, That no such Attorney, Solicitor, Scrivener, or any Person practising the Law shall be permitted to appear in the said Court of Requests as an Attorney, Solicitor, or Advocate for or on behalf of any Plaintiff or Defendant or any other Person, to speak before the said Court in any Cause, Action, or Matter in which such Attorney, Solicitor, or Scrivener is not himself a Party or Witness; and in case any Attorney, Solicitor, or Scrivener shall appear in the said Court of Requests as an Attorney, Solicitor, or Advocate for or on behalf of any Plaintiff or Defendant, or speak before the said Court in any Cause, Action, or Matter in which such Attorney, Solicitor, or Scrivener is not himself a Party or Witness, then and in every such Case such Attorney, Solicitor, or Scrivener so offending shall for every such Offence forfeit and pay any Sum not exceeding Five Pounds, on being convicted thereof before any One or more of His Majesty's Justices of the Peace for the said County of *Middlesex* upon Oath of One or more credible Witness or Witnesses, which Oath such Justice or Justices is and are hereby authorized and required to administer, or on his own Confession; and in case such Sum of Money shall not be paid forthwith by the Person or Persons so offending into the Hands of the said Justice or Justices before whom such Offender shall be convicted, then and in every such Case such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus, if any, to such Offender, after deducting such Fine or Forfeiture, and the Costs and Charges of such Distress and Sale; and such Fine or Forfeiture, when so paid and levied or recovered, shall be distributed in like Manner as the several other Fines and Penalties are by this Act directed to be distributed.

For compelling the Attendance of Witnesses.

LI. And be it further enacted, That it shall be lawful for any Plaintiff or Plaintiffs, Defendant or Defendants, in any Action, Cause, or Question hereafter depending in the said Court of Requests, to serve or cause to be served any Person or Persons residing within the Jurisdiction of the said Court with a Subpœna to be issued by the Clerk of the said Court, or his Deputy, either personally or by leaving the same at the last or most usual Place or respective Places of Abode of such Person or Persons, to appear as a Witness or Witnesses

nesses to give Evidence in the said Court in or concerning any such Action, Cause, or Question; and in case any Person residing or being within the Jurisdiction of the said Court, after being duly served as aforesaid with such Subpœna, shall refuse or neglect to appear pursuant to such Subpœna, due Proof being made of the Service of such Subpœna, and no sufficient Cause for his, her, or their Absence or Non-appearance being shown to the Satisfaction of the said Court, or if such Person or Persons so subpœnaed and appearing shall refuse to be examined upon Oath and to give Evidence as aforesaid before such Commissioners, according to the true Intent and Meaning of this Act, then and in any of the said Cases every such Person so neglecting or refusing shall forfeit and pay for every such Offence not exceeding the Sum of Forty Shillings, to be awarded by the said Commissioners; and if any Person or Persons so offending shall not forthwith pay into the said Court the Penalty or Forfeiture so imposed upon him, her, or them, it shall be lawful for the said Commissioners to order and cause such Person or Persons to be apprehended by the said High Bailiff or any of his Assistant Bailiffs, and committed to any Prison in the said City, there to remain for any Space of Time not exceeding Seven Days, unless such Penalty or Forfeiture shall be sooner paid; and every such Penalty or Forfeiture as last mentioned which shall be received by virtue of this Act shall thereupon (after deducting the reasonable Costs and Charges of apprehending and taking such Person or Persons so refusing or neglecting) be paid over into the Hands of the Churchwardens or Overseers of the Poor of the Parish wherein the Person or Persons respectively paying the same shall at the Time of his, her, or their Neglect or Refusal to appear to give Evidence as aforesaid inhabit, dwell, or seek a Livelihood, and shall be applied towards the Support and Maintenance of the Poor of the said Parish.

LII. And be it further enacted, That in case and when and so often as for the Want of the Attendance of any Witness or Witnesses, or for Want of any Deeds, Instruments, Writings, or other Documents, or written, printed, or other Evidence, or on account of Illness or Absence of any Parties or otherwise, the said Commissioners shall be unable to examine and determine to their full Satisfaction any particular Action, Cause, or Matter in controversy coming before them in the said Court, then and in every such Case it shall be lawful for the said Commissioners to adjourn or postpone such Cause or Matter in controversy from Time to Time as they shall think proper and direct: Provided always, that at the Time of such Adjournment or Postponement a Day shall be fixed for the further hearing of such Action, Cause, or Matter.

Adjourn-
ing the Deter-
mination of
any Cause to
a future Day.

LIII. And be it further enacted, That in case any Person or Persons shall make Oath or give Evidence in any Action, Cause, or Question depending in the said Court of Requests, whereby he, she, or they shall commit wilful and corrupt Perjury, and thereof be duly convicted according to Law, then every such Person or Persons shall incur and suffer the like Pains and Penalties as any other Person or Persons convicted of wilful and corrupt Perjury according to the Laws and Statutes of this Realm.

For punish-
ing Persons.
guilty of
Perjury.

[*Local.*]

70 H

LIV. And

Clerk not to
issue Sum-
mons until
Deposit is
made.

LIV. And be it further enacted, That no Clerk of the said Court shall issue any Summons for any Debt exceeding Forty Shillings unless the Plaintiff shall at the Time of issuing out such Summons deposit with the Clerk or Clerks of the said Court, for every Debt exceeding Forty Shillings and not exceeding Sixty Shillings, the Sum of Two Shillings and Sixpence, and for every Debt exceeding Sixty Shillings and not exceeding Five Pounds, the Sum of Five Shillings; and if upon the Day of the Return of any such Summons, or at any Continuation or Adjournment of the said Court, or of the Action or Cause for or on account of which the said Summons shall have been issued, the Plaintiff or Plaintiffs shall not appear either in Person, or by his, her, or their Agent, or some other Person on his, her, or their Behalf, or appearing shall not make Proof of his, her, or their Demand to the Satisfaction of the said Court, but shall become nonsuited, or Judgment shall be pronounced against him, her, or them by the said Court, then and in every such Case it shall be lawful for the said Court, and they are hereby required, to award to the Defendant or Defendants a Part or the Whole of such Deposit Money by way of Costs and Satisfaction for his, her, or their Trouble and Attendance, together with such further Sum as they the said Court in their Discretion shall think fit, and to order and compel the Plaintiff or Plaintiffs to pay such further Sum by such Ways and Means as any Debt or Debts ordered or decreed by the said Court can or may be recovered; and if there shall be any Overplus remaining in the Hands of the said Clerk after the Sum or Sums awarded to the Defendant or Defendants shall have been paid, or if the Plaintiff or Plaintiffs shall on the Return Day of any such Summons appear and make Proof of his, her, or their Demands to the Satisfaction of the said Court, or that the Debt has been settled or paid, then and in every such Case such Overplus or Sum or Sums of Money so deposited with the said Clerk as aforesaid shall be by the said Clerk returned and repaid into the Hands of such Plaintiff or Plaintiffs accordingly: Provided also, that in case such Plaintiff or Plaintiffs, at the Time of such Judgment of the said Commissioners, or at any Time afterwards, or his, her, or their Goods and Chattels, shall be out of the Jurisdiction of the said Court, then it shall be lawful for the said High Bailiff or any Assistant Bailiff of the said Court to apply to any Justice of the Peace acting for the City and Liberty of *Westminster*, and upon Proof being made upon Oath (which Oath such Justice is hereby authorized and required to administer) of the Precept of Execution having issued against such Person or Persons, or Effects, as the Case may be, such Justice of the Peace is hereby authorized and required to sign and endorse the said Precept of Execution or Attachment, and thereupon the said High Bailiff or Assistant Bailiff shall have the like Powers and Authorities to execute the said Precept or Attachment as are herein-after provided in case any Defendant or Defendants, or his, her, or their Goods and Chattels, shall, after final Judgment given in the said Court, be removed out of the Jurisdiction thereof.

Commission-
ers may sus-
pend Pro-
ceedings in

LV. And be it further enacted, That in case it shall at any Time during the Hearing of any Action or Cause in the said Court appear, by the Oath of any Person or Persons, to the Satisfaction of the

major Part of the Commissioners present at the Court at which such Action or Cause shall be heard, that such Debtor or Debtors is or are unable from Sickness or unavoidable Accident to pay and discharge the Debt or Debts for which he, she, or they shall have been so summoned, then it shall be lawful for the major Part of the said Commissioners, assembled at any such Court or Courts as aforesaid to suspend or supersede the Proceedings in such Action or Cause until it shall, upon like Proof as aforesaid, appear to the Court that such Debtor or Debtors shall be able to pay such Debt or Debts, and then to proceed again in manner aforesaid; any thing herein contained to the contrary notwithstanding.

Cases where Debtors are ill or unable to pay the Debt.

LVI. And be it further enacted, That in any Action, Cause, or Question in which the said Court shall have made an Order or Decree for the Payment of Money, it shall be lawful for the said Court immediately, or in case of Default or Failure of Payment thereof at the Times and in the Manner thereby directed, to award Execution, with Costs, against the Goods and Chattels of the Party against whom such Order or Decree shall be made; and thereupon it shall be lawful for the Clerk of the said Court, or his Assistants, at the Request of the Party prosecuting such Order or Decree for Payment of Money, to issue an Execution under his Hand to the said High Bailiff, or Assistant Bailiffs or Bailiff of the said Court, who by virtue of such Execution shall and may and is hereby empowered, by himself or Assistant Bailiffs or Bailiff, to levy by Distress and Sale of the Goods and Chattels of such Party, being within the Jurisdiction of the said Court, such Sum and Sums of Money and Costs as shall be so ordered, decreed, or adjudged.

Commissioners may award Execution against the Goods.

LVII. Provided always, and be it further enacted, That no Sale of any Goods which shall be taken under or by virtue of any Execution to be issued in manner aforesaid shall take place or be made until after the Expiration of Five Days at least next following the Day on which such Goods shall have been so taken; and in the meantime, and until any such Sale shall be made, the Goods taken by virtue of any Execution as aforesaid shall be deposited by the said Bailiffs or Bailiff taking or levying the same in some fit and convenient Place or Places to be appointed by the said Commissioners: Provided also, that it shall be lawful for the said Commissioners from Time to Time, and when, and as often as they shall think proper, to nominate and appoint such and so many sworn Brokers and Appraisers for the Purpose of selling or valuing any Goods, Chattels, or Effects in execution under or by virtue of this Act, as shall appear to the said Commissioners assembled to be necessary or proper; which said Brokers and Appraisers shall be Officers of the Court, and be appointed and liable to be dismissed in like Manner as Bailiffs or other Officers.

For regulating the Sale of Goods taken in Execution.

LVIII. Provided always, and be it further enacted, That the Costs and Charges levied for the Distress shall not exceed the Costs and Charges specified in an Act passed in the Fifty-seventh Year of the Reign of King George the Third, intituled *An Act to regulate the Costs of Distresses levied for Payment of small Rents.*

Costs of Distress.

57 G. 3. c. 93.

LIX. And

Execution
against the
Body may
issue after an
Execution
against the
Goods.

LIX. And be it further enacted, That if the said High Bailiff shall certify and make a Return thereon in Writing under his Hand, that the said Party or Parties against the Goods of whom Execution shall have been awarded hath or have no Goods or Chattels or not sufficient Goods or Chattels wherein or whereby such Levy can be made, then and in every such Case it shall be lawful for the said Commissioners to award Execution, with Costs, against the Body or Bodies, Party or Parties against whom such Order or Decree shall be made for the Whole or so much of such Sum or Sums of Money and Costs so ordered, decreed, or adjudged as shall then remain unsatisfied; and thereupon it shall be lawful for the Clerk of the said Court, or his Deputy, at the Prayer of the Party prosecuting such Order or Decree for the Payment of Money, to issue a Warrant under his Hand to the said High Bailiff, who shall and may and is hereby empowered, by himself or Assistant Bailiffs or Bailiff, to take such Party or Parties, who shall remain in Custody until he, she, or they shall perform and obey such Order, Decree, or Judgment, for the Space of Time herein in that Behalf particularly directed.

In case Par-
ties shall se-
crete their
Goods or
abscond.

LX. And be it further enacted, That if after such Warrant shall have been issued against the Body or Bodies of any Party or Parties as herein-before mentioned, and before the Execution thereof, it shall appear to the Satisfaction of the said Court, at any of the Meetings thereof, that such Party or Parties had at the Time of Judgment being pronounced against him, her, or them, or at any Time afterwards, any Goods or Chattels capable of being taken in Execution by virtue of this Act, and that such Party or Parties hath or have been guilty of secreting or removing the same, or making any fraudulent Gift, Delivery, or Transfer of the same, or that such Party or Parties hath or have absconded, or by other Means prevented the Execution of the said Warrant so issued against his, her, or their Body or Bodies as aforesaid, then and in every or any such Case it shall and may be lawful for the said Court to award a further Execution against the Body or Bodies of such Party or Parties, and thereupon the said Clerk or his Deputy shall, at the Prayer of the Party or Parties at whose Suit such Execution shall be awarded, issue a Warrant under his Hand, directed to the said High Bailiff, who shall and may and is hereby empowered, by himself, or Assistant Bailiffs or Bailiff, to take such Party or Parties into Custody, to be imprisoned for any Space of Time not exceeding Thirty Days; any thing herein-before contained to the contrary thereof in anywise notwithstanding.

Process not
to issue
against the
Body and
Goods at the
same Time.

LXI. And be it further enacted, That it shall not be lawful for the said Court to issue any Process against the Body or Bodies of any Defendant or Defendants, unless the Plaintiff or Plaintiffs entitled to the Benefit of any Order, Judgment, or Decree shall have obtained an Execution against the Goods and Chattels of the same Defendant or Defendants, and there shall have been a previous Return of No Goods thereon, in manner before mentioned, or unless the Goods sold under the Execution shall not be sufficient to defray the Sum and Sums of Money and Costs so ordered, decreed, and adjudged; in which

Case

Case any Process against the Body or Bodies of any such Defendant or Defendants shall be issued only for the Deficiency: Provided always, that in case it shall appear to the said Court, either upon the Confession of the Party or otherwise, that any Defendant or Defendants hath or have not sufficient Goods and Chattels whereon to levy such Execution, the said Court shall not be required to issue any Warrant or Process against the Goods and Chattels of such Defendant or Defendants, but it shall be lawful for the said Court and they are hereby authorized to award Execution against the Body or Bodies of such Defendant or Defendants; which said Execution shall be valid and effectual to all Intents and Purposes as if Execution against the Goods had been awarded in the first instance in manner herein-before mentioned.

LXII. And be it further enacted, That in all Cases where a final Decree or Judgment for any Sum or Sums of Money shall have been obtained in the said Court, and the Defendant or Defendants, or his, her, or their Goods and Chattels, shall be out of the Jurisdiction of the said Court, it shall be lawful for the High Bailiff, Assistant Bailiffs, or other Officer of the said Court to apply to any Justice of the Peace acting for the Division or Place to or in which such Defendant or Defendants, or his, her, or their Goods and Chattels shall be removed or be found; and upon being made upon Oath (which Oath such Justice is hereby authorized and required to administer) of the Warrant of Execution having issued against the Person or Persons or Effects, as the Case may be, of the Defendant or Defendants, and that the Person or Persons, Goods and Chattels of such Defendant or Defendants is or are not to be found within the Jurisdiction of the said Court, but is or are believed to be within the County or District where such Justice of the Peace shall act, such Justice of the Peace is hereby authorized and required to sign or endorse his Name upon the Back of the said Warrant, and thereupon the said High Bailiff shall be and is hereby authorized and empowered, by himself or Assistant Bailiffs or Bailiff, to take and seize the Person or Persons or Effects of the Defendant or Defendants, wheresoever the same shall be found within the County or District for which such Justice of the Peace who shall have so signed or endorsed the said Precept or Execution as aforesaid shall act, and to deal therewith in like Manner as if the same had been taken or seized within the Jurisdiction of the said Court; and all Constables and other Peace Officers shall and they are hereby required to be aiding and assisting within their respective Districts in the Execution of the said Warrant so endorsed as aforesaid.

If Defendant removes out of the Jurisdiction of the Court to avoid Execution, any Justice of the Peace may endorse the Warrant.

LXIII. And be it further enacted, That in or upon every Warrant to be issued upon Execution awarded against the Goods and Chattels or Body of any Person or Persons whomsoever, the Clerk of the said Court, the Deputy Clerk, or Assistant Clerks, shall insert or endorse the Sum or Sums of Money and the Costs so ordered, decreed, and adjudged; and if the Party or Parties against whom such Execution shall be awarded respectively shall, before an actual Sale of the Goods and Chattels, or before he, she, or they is or are apprehended, or before the Expiration of the said Term of his, her, or their Imprison-

Clerk to insert or endorse Debt and Costs on Warrant, and if paid to the Clerk of the Court before Sale Execution to be superseded.

[Local.]

70 I

ment,

ment, as herein mentioned, pay or cause to be paid or tendered unto the High Bailiff or Assistant Bailiff holding the Execution, or in case such Party or Parties shall be in Prison, to the Gaoler of the Prison, such Sum or Sums of Money as aforesaid, or such Part thereof as the Plaintiff or Plaintiffs shall agree to accept in full for his, her, or their Debt or Debts, together with the Costs, then and in every such Case the Execution shall be superseded, and the Body or Goods and Chattels of the said Party or Parties shall be discharged and set at liberty, and the Officer holding the Execution, or the Gaoler (as the Case may be), shall immediately transmit such Sum or Sums of Money to the Clerk of the said Court.

Limitation of the Time of Imprisonment of Debtors.

LXIV. And be it further enacted, That no Person or Persons whomsoever, being a Debtor or Debtors, Defendant or Defendants, who shall be committed to Goal or Prison by Order of the said Court of Requests, shall be kept or continued in Custody on any Pretence whatsoever (except in the Cases herein provided) for any longer Space of Time than Seven Days, and the Keeper and Keepers of any such Gaol or Prison is and are hereby directed and required to discharge such Person or Persons accordingly.

In case Defendant has obtained Credit under false Pretence or has fraudulently transferred his Goods.

LXV. And be it further enacted, That if upon the Hearing of any Cause it shall appear that the Defendant or Defendants shall have under false Colour or Pretence of carrying on Business and dealing in the ordinary Course of Trade obtained Credit from the Plaintiff or Plaintiffs in that Action for any Goods and Chattels with Intent to defraud the Owner thereof, or that the said Defendant or Defendants shall have made or caused to be made any fraudulent Gift, Delivery, or Transfer of any of his, her, or their Money, Securities for Money, Goods and Chattels, or other Personal Property, or shall have removed or concealed the same with Intent to defraud the Plaintiff or Plaintiffs, and if also Judgment in such Action shall be given for the Plaintiff or Plaintiffs, and Default shall be made by the Defendant or Defendants in Payment of any Sum of Money ordered by such Judgment to be paid by him, her, or them, that then and in every such Case it shall and may be lawful for the said Court, if they shall think fit so to do, to award Execution in the first instance against the Body or Bodies of the Defendant or Defendants, requiring him, her, or them to be imprisoned for any Space of Time not exceeding Thirty Days, unless the Plaintiff or Plaintiffs shall be sooner satisfied, any thing herein contained to the contrary thereof in anywise notwithstanding.

Allowance to Defendants for Support in Prison.

LXVI. And be it further enacted, That in any Case in which any Defendant shall be committed to any Common Gaol or Prison by virtue of this Act for Want of sufficient Goods and Chattels, it shall be lawful for the said Commissioners, if they shall think fit, to direct the Plaintiff to pay the said Defendant any Sum not exceeding Sixpence *per Diem* for his Support and Maintenance during his Imprisonment.

Time of Imprisonment to extend to

LXVII. Provided always nevertheless, and be it further enacted, That all and every Person or Persons who shall be taken in execution under

under or by virtue of any Process issuing from or out of the said Court, and who at the Time of being taken into Custody, or during his, her, or their Imprisonment, shall have more than One Execution against him, her, or them in the said Court, shall be imprisoned during the Time limited by this Act for and in respect of each other Execution; that is to say, after the limited Time is expired on the First Execution, the Imprisonment shall commence on the Second Execution, and after the limited Time is expired on the Second Execution, the Imprisonment shall commence on the Third Execution, and so on until he, she, or they shall have been imprisoned the Time limited by this Act for and in respect of each other separate Execution to be issued against him, her, or them in the said Court previously to his, her, or their being taken into Custody, or during his, her, or their Imprisonment; any Law, Statute, or Usage to the contrary notwithstanding.

every Execution where more than One.

LXVIII. And whereas it is expedient that the Fees taken and received in the said Court for and in respect of the several Proceedings hereby authorized, and for the Services of the respective Officers and their Successors, should be vested in the Commissioners for the Time being, and that Power should be given to the Commissioners to fix and limit the said Fees, and from Time to Time to lessen, reduce, or abolish any of such Fees, so as from Time to Time to bring in or produce yearly as near as may be sufficient to pay all Costs, Charges, and Expences attending the carrying this Act into effect; be it therefore enacted, That the several Fees herein-after limited and expressed shall be and are hereby authorized and directed to be taken and received by the said Commissioners and their Officers, and such Fees are hereby declared to be vested in the said Commissioners for the Time being, for the Purposes of this Act; (that is to say,)

Regulating Fees.

	On Debts not exceeding 40s.		On Debts above 40s.	
	s.	d.	s.	d.
Summons and Service thereof	1	0	2	0
Order Nisi and Service	0	10	2	0
Hearing, calling the Parties into Court, and Entry	1	6	2	0
Postponement of the Cause or Hearing, or Dismissal thereof	1	6	2	0
Execution	2	6	3	6
On receiving Money out of Court, on First Payment	0	6	1	0
Every subsequent receiving of Money out of Court	0	2	0	4
Paying of every Sum of Money into Court (the Defendant chargeable on the First Payment only)	0	6	1	0
Nonsuit where Plaintiff does not attend	0	4	0	6
Subpœna or Summons for Witnesses	0	6	1	0

LXIX. Pro.

Fees to be suspended or reduced if more than sufficient to pay Salaries and Expences.

LXIX. Provided always, and be it further enacted, That if at any Time hereafter it shall appear to the Satisfaction of the said Commissioners, or the major Part of them, present at a Meeting to be convened for that Purpose, that the Amount of Fees taken and received upon an Average of the Three preceding Years shall considerably exceed the Salaries payable to the said Clerk, Deputy Clerks, Court Keepers, and all other Officers of the said Court, and other Persons employed under the Authority of this Act in and about the Business of the said Court, and also the necessary usual and customary Outgoings, Charges, Payments, and Expences incurred or paid in and by the said Court and duly allowed, then the said Commissioners, or the major Part of them, present at a General Meeting to be summoned and held for such Purpose, shall and may order and direct the said Fees and Emoluments, or such of them or any Part or Parts thereof respectively as they shall deem expedient, to be suspended or lessened and reduced, so as from Time to Time the Fees to be allowed by the said Commissioners bring in and produce yearly such Sum and Sums of Money as may in their Judgment be sufficient for the several Salaries, Outgoings, Charges, Payments, and Expences as aforesaid, or as near thereto as may be; and if any Time or Times after such Suspension or Reduction of Fees the Business and Proceedings of the said Court shall not so bring in or produce sufficient Sums of Money for Payment of the said respective Salaries, customary Outgoings, Charges, Payments, and necessary Expences, it shall and may be lawful to and for the said Commissioners, or the major Part of them, present at any Meeting or Meetings from Time to Time to be convened for that Purpose, to reduce the Salaries of the said Clerk, Deputy Clerks, and all other Officers of the said Court, or to increase or restore or alter the said several Fees, or any or either of them, so as they shall not nor do at any Time on any Account or Pretence whatever exceed the Fees herein set forth and allowed to be taken.

Penalty on Keeper of Prison neglecting his Duty.

LXX. And be it further enacted, That the Keeper or Keepers for the Time being of the New Prison *Tothill Fields*, in the said City and Liberty of *Westminster*, shall and he and they is and are hereby required to receive and take into his or their Custody respectively all and every Person and Persons who shall be committed or ordered to stand committed by the said Commissioners; and in case the Keeper or Keepers of the said Prison respectively shall neglect or refuse to receive or take into his or their Custody any Person or Persons committed by virtue of this Act, or shall before the Expiration of the Time for which any Person or Persons shall be committed to his or their Custody discharge such Person or Persons out of his or their Custody, or wilfully suffer such Person or Persons to go at large without a Warrant or Order for that Purpose in Writing from the said Court, and signed by the said Clerk for the Time being, such Keeper or Keepers respectively so offending in either of the said Cases, and being thereof convicted before One or more of the Justices of the Peace of the said City and Liberty of *Westminster*, upon the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby authorized and required to administer), or upon his or their own Confession, shall for every such Offence forfeit and pay the Debt or Debts and Costs for which such Person

or Persons shall have been committed to the Custody of such Keeper or Keepers, and also any Sum not exceeding Five Pounds at the Discretion of the said Justice or Justices.

LXXI. And be it further enacted, That the Salaries to be paid and payable out of the Fees to be received and hereby vested in the Commissioners under and by virtue and for the Purposes of this Act, after Payment of the Expences of the Court House and other incidental Expences relating thereto, shall be as follows, the respective Amount to be from Time to Time determined by the Commissioners, or the major Part of them, at a Meeting to be convened for such Purpose; to each of the Chief Clerks a Sum not exceeding Four hundred and fifty Pounds nor less than Three hundred Pounds *per Annum*, and in the event of only One Chief Clerk being appointed, then a Sum not exceeding Five hundred Pounds and not less than Three hundred and fifty Pounds *per Annum*; and that such respective Salaries shall and the same are hereby directed to be paid, out of the Fees hereby vested as aforesaid, quarterly; and after the Payment thereof the said Commissioners shall likewise pay to each and every Deputy and Assistant Clerk, Crier, and other Officers and Persons appointed and employed in and about the said Court and the Business thereof, such respective Salaries and Wages as the Commissioners or the major Part of them at a General Meeting shall from Time to Time determine, direct, and appoint.

For the Payment of the Salaries to the Officers.

LXXII. And be it further enacted, That it shall and may be lawful for the said Commissioners to lay and invest, or to order and direct to be laid out and invested, all Sum and Sums of Money which shall come into their Hands or under their Control by virtue of this Act in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, or of other Government Securities, in the joint Names of any Four Persons to be from Time to Time chosen by the said Commissioners, or the major Part of them, at a General Meeting; and if any Person entitled to any of the Money so laid out and invested shall, before the Expiration of Ten Years from the Time of the same having been received or paid into Court, demand the same of the said Commissioners, they or any Five of them in Court shall and are hereby required to order the Money so claimed to be paid to the Person or Persons entitled to the same, and, if necessary so to do, shall make an Order on the said Trustees to sell a sufficient Sum to pay the same, who shall sell the same accordingly, and pay the Produce to the Clerk, to be by him paid to such Claimant or Claimants; and all Dividends and annual Produce of the said Stock or Securities, and also so much of the said Stock or Securities as shall from Time to Time become irreclaimable under this Act, or as shall have been purchased by Money arising from Fees, shall be paid and applied and sold and disposed of by Order of the said Commissioners, or the major Part of them, at a General Meeting, towards Payment and Satisfaction of the Expences attending the Court and Offices, and in insuring and keeping the same in repair, and in defraying all Rent and Expences attending the same, or of building or hiring a new Court or Courts, or towards the Payment of any of the Expences relating to the Purposes of this Act, any thing herein contained to the contrary in anywise notwithstanding.

For the Investment of unclaimed Money.

[*Local.*]

70 K

LXXIII. And

New Trustees
to be appointed
in case of
Death, &c.

LXXIII. And be it further enacted, That when and as often as any One or more of the said Trustees in whom or in whose Names the said Monies shall by the Authority of this Act be laid out and invested respectively as aforesaid, shall happen to die or become bankrupt or insolvent, or cease to reside within the Jurisdiction of the said Court, or be desirous of being discharged from or become incapable to act in the said Trust, the said Commissioners, or the major Part of them, at the next General Meeting to be held as by this Act is directed, shall and are hereby required by Writing under their Hands and Seals to appoint another Person or Persons to be a Trustee or Trustees in the Room of him or them so dying, or becoming bankrupt or insolvent, ceasing to reside, being desirous of being discharged, or becoming incapacitated as aforesaid, and thereupon such Trust Funds or Premises shall be assigned, transferred, or made over, so as to vest in such surviving or continuing Trustee or Trustees and such new Trustee or Trustees jointly, who shall stand and be possessed of the said Monies so placed out and invested, and all other the said Trust Funds, Premises, or Securities, upon the Trusts and for the Purposes before mentioned of and concerning the same.

Assistant
Clerk, Crier,
or other Officer
neglecting
his Duty.

LXXIV. And be it further enacted, That if any Assistant Clerk, Crier, or other Officer or Officers of the said Court shall by wilful Neglect, Omission, or Connivance cause or suffer the Party against whom such Execution shall be awarded to escape or abscond, or the Goods of such Party to be carried away or secreted, so that such Execution shall not have its due Effect, it shall be lawful for the said Commissioners, upon complete and due Proof thereof made upon the Oath or Oaths of One or more credible Witness or Witnesses, to order such Assistant Clerk, Crier, or other Officer to pay the Sum or Sums of Money for which such Execution was awarded, or such Part thereof as the said Commissioners may think proper, to the Party complaining, and to enforce the Payment thereof by the same Ways and Means as are herein provided for the Recovery of their Debts; and it shall be lawful for the said Commissioners, and they are hereby enabled, to impose any Fine, not exceeding Ten Pounds, for every such Offence on such Assistant Clerk, Crier, Officer or Officers, and to levy such Fine by Distress and Sale of the Goods and Chattels of such Assistant Clerk, Crier, or other Officer or Officers of the said Court, rendering the Overplus (if any), after deducting such Fine and the Cost and Charges of such Distress and Sale, to the Owner or Owners of such Goods and Chattels; and such Fine, when so levied and recovered, shall be paid to and distributed by the said Commissioners in such Shares and Proportions and in such Manner amongst the Poor of the several Parishes and Places within the Jurisdiction of the said Court as they the said Commissioners may think fit and proper.

Penalty on
Officers
taking any
Fee besides
the Fees
allowed.

LXXV. And be it further enacted, That if any Clerk, Deputy or Assistant Clerk, Crier, or any other Officer to be appointed by the said Commissioners employed in putting this Act or any of the Powers thereof in execution, shall wilfully and knowingly exact, take, or accept any Fee or Reward whatsoever other than and except such Fees as are or shall be appointed and allowed to them respectively as aforesaid, for or on account of any thing done or to be done by

virtue of this Act, or on any account whatsoever relative to putting this Act into execution, every such Person so offending shall, upon Conviction thereof before the said Commissioners at any of their Meetings, or upon Verdict or Judgment being had against him in such Action as next herein-after mentioned, forfeit and pay the Sum of Ten Pounds to any Person or Persons who shall sue for the same by Action of Debt, Bill, Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, within Two Calendar Months after the Offence committed, in which Suit no Essoign or Protection shall be allowed.

LXXVI. And whereas under and by virtue of the said hereby recited Acts the Monies received and paid into Court on account of and for the Suitors of the said Court have been under the Control and Management of the Clerks and Officers of the said Court, there being no Provision in and by the said recited Acts for or in respect of the same: And whereas for several Years previous to the Tenth Day of *April* One thousand eight hundred and thirty-five *Edward Cary Grojan* and *John Hodgson* were the Clerks of the said Court, and on the Tenth Day of *April* One thousand eight hundred and thirty-five the said *Edward Cary Grojan* was dismissed from the Office of Clerk, and on the Twenty-second Day of *April* One thousand eight hundred and thirty-five *Christopher Cuff* was elected one of the Clerks of the said Court, and the said *John Hodgson* and *Christopher Cuff* are now the Clerks thereof; be it therefore enacted, and it is hereby declared, That nothing in this Act contained shall extend or be construed to extend to release the said *John Hodgson* and *Christopher Cuff*, or either of them, from the Payment of or Liability to the Suitors of the said Court for and in respect of all Sum and Sums of Money recovered during their respective Clerkships under and by virtue of the said recited Acts; but the said *John Hodgson* and *Christopher Cuff* shall respectively remain liable to the Payment and Satisfaction thereof in the same Manner as if this Act had not passed.

Liabilities of the present Clerks to continue.

LXXVII. And be it further enacted, That the Clerk to the said Commissioners shall and he is hereby required, in the Month of *October* in every Year, to make out and lay before the said Commissioners a correct List of all Sums of Money which shall have been paid into Court or received by him after the passing of this Act, and which shall have remained unreclaimed for the Space of Six Calendar Months, or for any longer Period next before the making out such List, and the said List shall also contain the Names of the Parties having paid such Sum or Sums of Money, and also the Names of the Parties for whom and on whose Account the same was or were so paid into Court and received; and any Sums which may have been received since the passing of this Act, and have remained unreclaimed for the Space of Ten Years, shall be applied in the same Manner as Fees received in the said Court.

A List to be made out of unclaimed Sums.

LXXVIII. And for the more effectually maintaining the Dignity and Consequence of the said Court, and to protect the Commissioners, Clerks, and Officers of the said Court from Insult, be it further enacted,

For supporting the Dignity of the Court and pre-

venting
Insults.

enacted, That if any Person or Persons shall contemptuously and wilfully insult or abuse all or any of the said Commissioners, Clerks, or Officers of the said Court for the Time being, during his or their Sitting or Attendance in the said Court, or going to or from the said Court, or shall interrupt or obstruct the Proceedings of the said Court, then and in every such Case it shall be lawful for the High Bailiff, Assistant Clerks, Bailiffs, Criers, or other Officer or Officers of the said Court, with or without the Assistance of any other Person or Persons, by the Order of the said Commissioners then sitting, or any Three or more of them, to take such Offender or Offenders into Custody, and carry him, her, or them before One or more of His Majesty's Justices of the Peace for the City of *Westminster* or County of *Middlesex* (such Justice or Justices not then being a Commissioner or Commissioners of the said Court), to answer for such Offence; and upon the Fact alleged being duly proved upon the Oath or Oaths of One or more credible Witnesses against him, her, or them, then and in such Case the said Justice or Justices shall proceed to punish such Offender or Offenders by Fine or Imprisonment, or both, provided that the Fine on any One Person do not exceed the Sum of Five Pounds, and that the Imprisonment be not for any longer Space of Time than Seven Days.

Recovery
and Applica-
tion of Pe-
nalties.

LXXIX. And be it further enacted, That all Fines, Penalties, or Forfeitures by virtue of this Act imposed or authorized to be imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall, on Proof of the Offences respectively before any Five or more of the Commissioners, by the Confession of the Party offending, or by the Oath of any credible Witness or Witnesses, be levied, together with the Costs attending the Information and Conviction, by Distress and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of such Commissioners; and the Overplus (if any), after such Penalties, Forfeitures, and Fines, and the Charges of such Distress and Sale, are deducted, shall be returned, upon Demand, unto the Owner or Owners of such Goods and Chattels; and the Monies arising by such Penalties, Forfeitures, and Fines respectively, when paid and levied (if not otherwise directed to be applied by this Act), shall be from Time to Time paid, one Moiety to the Informer, and the other Moiety to the Clerk to the Commissioners, and shall be by the said Commissioners distributed amongst the Poor of the several Parishes and Places within the Jurisdiction of the said Court of Requests; and in case such Penalties, Forfeitures, and Fines respectively shall not be paid forthwith upon Conviction, then it shall be lawful for such Commissioners to order the Offender or Offenders so convicted to be detained in safe Custody until Return can be conveniently made to such Warrant or Warrants of Distress, unless the said Offender or Offenders shall give sufficient Security to the Satisfaction of such Commissioners for his, her, or their Appearance before them or him on such Day or Days as shall be appointed for the Return of such Warrant or Warrants of Distress, such Day or Days not being more than Seven Days from the Time of taking any such Security, and which Security such Commissioners are and is hereby empowered to take, by way of Recognizance or otherwise, as to

to them or him shall seem right and proper; but if upon Return of such Warrant or Warrants no sufficient Distress can be had thereupon, or in case it shall appear to the Satisfaction of such Commissioners, either by the Confession of the Offender or Offenders or otherwise, that he, she, or they hath not nor have Goods and Chattels within the Jurisdiction of such Commissioners whereon to levy all such Penalties, Forfeitures, and Fines, Costs and Charges, such Commissioners may, at their or his Discretion, without issuing any Warrant of Distress, commit the Offender or Offenders to the New Prison *Tothill Fields*, there to remain without Bail or Mainprize for any Time not exceeding One Calendar Month nor less than Seven Days, unless such Penalties, Forfeitures, and Fines, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

LXXX. And be it further enacted, That in all Cases in which by this Act any Penalty or Forfeiture is made recoverable by Information before any Commissioners, it shall be lawful for the Commissioners to whom Complaint shall be made of any Offence against this Act to summon before them or him the Party complained against, on such Summons to hear and determine the Matter of such Complaint, and on Proof of the Offence to convict the Offender, and to adjudge him or her to pay the Penalty or Forfeiture incurred, and to proceed to recover the same, although no Information in Writing shall have been exhibited before them or him; and all such Proceedings by Summons, without Information in Writing, shall be as valid and effectual to all Intents and Purposes as if an Information in Writing had been exhibited.

Commissioners may proceed by Summons in the Recovery of Penalties.

LXXXI. And be it further enacted, That in all Cases where any Conviction shall be had for any Offence or Offences committed against this Act, the Form of Conviction shall be in the Words or to the Effect following; that is to say,

‘ **B**E it remembered, That on this Day of in the
 ‘ Year of the Reign of *A. B.* is convicted before us
 ‘ of the Commissioners for the Recovery of Small Debts within the
 ‘ City and Liberty of *Westminster*, and that Part of the Duchy of
 ‘ *Lancaster* which adjoineth thereto, of having [*as the Offence may be*];
 ‘ and we the said Commissioners do adjudge him [*her or them*] to
 ‘ forfeit and pay for the same the Sum of . Given
 ‘ under our Hands and Seals the Day and Year aforesaid.’

Form of Conviction.

LXXXII. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or Want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio* on account of any Irregularity which shall afterwards be done by the Party or Parties so distrained, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction for the special Damage in an Action upon the Case.

Distress not unlawful for Want of Form, nor removeable by Certiorari.

Proceedings
not to be
quashed for
Want of
Form.

LXXXIII. And be it further enacted, That no Order, Decree, Judgment, or other Proceeding made touching and concerning any of the Matters aforesaid, or the Conviction of any of the Offender or Offenders of or against this Act, shall be quashed or vacated for Want of Form only, or be removed or removeable by Certiorari or by any other Writ or Process whatsoever into any of His Majesty's Courts of Record at *Westminster* or elsewhere, any Law or Statute to the contrary thereof in anywise notwithstanding.

Plaintiffs not
to recover
without No-
tice or after
Tender of
Amends.

LXXXIV. And be it further enacted, That no Plaintiff or Plaintiffs shall recover in any Action to be commenced against any Person or Persons for any thing done in pursuance of this Act, unless Notice in Writing shall have been given to the Defendant or Defendants, and also to the Clerk for the Time being of the said Commissioners, Ten Days before such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiff or Plaintiffs recover in any such Action if Tender of sufficient Amends shall have been made to him, her, or them, or to his, her, or their Attorney, by or on behalf of the Defendant or Defendants before such Action brought; and in case no such Tender shall have been made, it shall be lawful for the Defendant or Defendants in any such Action, by Leave of the Court, after such Action shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings, Order, and Judgment shall be made and given in and by such Court as in other Actions where the Defendant is allowed to bring Money into Court.

Limitation
of Actions.

LXXXV. Provided always, and be it further enacted, That no Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act after Three Calendar Months next after the Fact committed; and every such Action or Suit shall be brought and tried in the County where the Cause of Action shall have arisen, and not elsewhere; and the Defendant or Defendants in every such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials which shall be had thereupon; and if any such Action shall be brought before Ten Days Notice shall have been given, or after sufficient Amends, Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought elsewhere than as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs should be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover his, her, or their Costs, and have such Remedy for recovering the same as any Defendant hath for Costs of Suit in other Cases by Law.

Concurrent
Jurisdiction.

LXXXVI. And be it further enacted, That no Action or Suit for any Debt not exceeding the Sum of Forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought

against any Person residing or inhabiting within the Jurisdiction thereof in any other Court whatsoever: Provided always, that nothing herein contained shall destroy, limit, or prejudice the Jurisdiction of His Majesty's Courts of Record at *Westminster* or other Courts in Cases wherein the Debts shall exceed the Sum of Forty Shillings; but the said Courts respectively shall have the same Powers, Privileges, and Jurisdiction as they had before the passing of this Act.

LXXXVII. And for the more solemn Determination of the Causes and Matters which shall be depending in or inquired into by the Court hereby established, or relating to any of the Matters aforesaid, it is hereby further enacted, That it shall and may be lawful to and for the said Commissioners, or any Three or more of them, to administer an Oath to the Plaintiff or Defendant, and to such Witness or Witnesses as shall be produced to give Evidence in the said Court, and also to all Clerks, Deputy Clerks, Assistant Clerks, High Bailiff, Assistant Bailiffs, and other Officers and Persons, for or concerning any Business or Inquiry relative thereunto, if the said Commissioners or any Three of them shall think it meet.

Commis-
sioners to ad-
minister
Oaths, &c.

LXXXVIII. And be it further enacted, That throughout this Act, wherever the Word Clerk (in reference to the Chief Clerk or Clerks of the said Court) shall be used, the same shall be construed to include both the Persons (so long as there shall be Two) appointed to and acting in the Office of Clerk of the said Court.

Interpreta-
tion of Act.

LXXXIX. And be it further enacted, That for the Purpose of defraying the Expences incident to and attending the preparing, obtaining, and passing of this Act, it shall and may be lawful to and for the said Commissioners, or any Five of them, at their First or any subsequent Meeting or Meetings, in such Manner as they shall think proper, to borrow and take up at Interest such Sum or Sums of Money as they or any such Five or more of them shall think fit, and they or any such Five or more of them are hereby empowered from Time to Time, by any Writing under their Hands and Seals, to enter into and execute such Security or Securities as may be required by any Person or Persons for the several Sums of Money as shall be so borrowed, with Interest for the same; and the Time or Times of such Sum or Sums being so borrowed shall be entered in a Book or Books to be kept for that Purpose by the Clerk of the said Court; and for raising a Fund for paying off such Sum or Sums of Money as shall or may be borrowed for the Purposes aforesaid, and the Interest in respect thereof, it shall and may be lawful to and for the Clerk of the said Court to deduct and retain by and out of the Monies to be recovered for the Plaintiff or Plaintiffs in any Suit or Action to be commenced in the said Court any Sum or Sums of Money not exceeding Sixpence when the Amount of such Debt recovered shall amount to the Sum of One Pound, and any Sum or Sums not exceeding One Shilling when the Amount of such Debt recovered shall amount to the Sum of Two Pounds, and any Sum or Sums not exceeding One Shilling and Sixpence when the Amount of such Debt recovered shall amount to the Sum of Three Pounds, and any Sum or Sums not exceeding the
Sum

For paying
Expences of
Act.

Sum of Two Shillings when the Amount of such Debt recovered shall amount to the Sum of Four Pounds; and such respective Sum and Sums of Money shall be payable and paid in all Cases by such Plaintiff or Plaintiffs after Suit or Action commenced, whether the Amount of such Debt or Debts shall be paid into or levied under the Process of the Court, or shall be paid, secured, or settled by the Defendant or Defendants unto or with the Plaintiff or Plaintiffs; which Sum or Sums so to be raised as aforesaid the Clerk of the said Court is hereby required to keep an Account of, and pay over from Time to Time to any Five or more of the said Commissioners assembled in Court, for the Purpose of applying the same in Liquidation of or paying off such Sum or Sums of Money as may be borrowed, and the Interest thereof, for the Purpose of defraying the Expences incident to and attending the preparing, obtaining, and passing this Act.

This Act to
cease on the
passing of
any General
Act.

XC. Provided always, and be it further enacted, That at the Expiration of Six Calendar Months next after any General Act shall be passed for the Recovery of Small Debts, and the Operation of which General Act shall extend to the said City and Liberty, every Clause, Matter, and Thing in this Act contained which shall extend or be construed to extend to give the Commissioners hereby appointed any such local or separate Jurisdiction shall cease and determine.

Public Act.

XCI. And be it further enacted, That this Act shall be deemed to be a Public Act, and shall be judicially taken notice of as such by all Judges, Justices, and others.

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE,
Printers to the King's most Excellent Majesty. 1836.