



ANNO QUADRAGESIMO OCTAVO

# GEORGI II. REGIS.

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## Cap. 103.

An Act for regulating the Proceedings in the Courts Baron of the Manors of *Sheffield* and *Ecclesfall*, in the County of *York*. [18th June 1808.]

**W**HEREAS within the Jurisdiction of the respective Manors of *Sheffield*, and *Ecclesfall* in the County of *York*, there are several very considerable Manufactories which employ great Numbers of People who contract many small Debts which they often refuse to pay; and although an Act was passed in the Twenty-ninth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for regulating the Proceedings in Personal Actions in the Courts Baron of the Manors of Sheffield and Ecclesfall in the County of York*, yet it is found that as the Powers of the said Act extend only to recover Debts contracted within the respective Jurisdictions of the said Courts, Persons contracting Debts within the Jurisdiction of one of the said Courts, do often, to avoid Suit, remove into the adjacent Jurisdiction, whereby the Plaintiffs in such Suits, are frequently delayed in recovering their just Debts, and it is found that the Proceedings in the said respective Courts, to bring a Cause to Trial or Inquiry are very prolix, and the Fees allowed by the said Act to the Solicitors prosecuting or defending Suits therein, are greatly in disproportion to the Sums in dispute, and the said Act is found in many other Respects inadequate for the speedy Recovery of Debts within the Limits of the said Courts: And whereas it would greatly tend to the Support and Encouragement

[Loc. & Per.] 22 O ment



ment of useful Credit in the Town of *Sheffield*, and within the Jurisdiction of the said Manors, and would in many other Respects be highly beneficial and advantageous to all Persons carrying on Trade therein, if the Powers and Provisions of the said recited Act were repealed, and other Powers and Provisions granted and made in lieu thereof, for the more easy and speedy Recovery of Debts amounting to any Sum not exceeding Five Pounds: 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 the said recited Act, and all and every the Clauses, Powers, Provisions, Matters, and Things therein contained, shall from and after the Second *Thursday* next after the passing of this Act, be, and the same is and are hereby repealed and declared to be null and void, to all Intents and Purposes whatsoever.

Commission-  
er for *Shef-*  
*field* and  
*Ecclesfall*.

II. And be it further enacted, That the Lords of the Manors of *Sheffield* and *Ecclesfall* aforesaid for the Time being, together with the Representatives serving in Parliament for the said County of *York* for the Time being, and also the Stewards of the respective Courts within the Manors of *Sheffield* and *Ecclesfall* for the Time being, the Vicar of the Parish Church of *Sheffield* aforesaid for the Time being, the Minister of the Chapel called *Ecclesfall* Chapel for the Time being, the Master Cutler of the Company of Cutlers in *Hallamshire* for the Time being, the Capital Church Burgesses of the said Town of *Sheffield* for the Time being, the Town Collector or Regent of *Sheffield* for the Time being, the Magistrates for the Time being acting and residing within the said Town of *Sheffield* or within the Distance of Fifteen Miles thereof, and also *Peter Brownell*, *Robert Brightmore*, *George Bennett*, *Joseph Binney*, *Joseph Bayley*, *Daniel Brammell*, *Ralph Blakelock*, *William Brittain*, Reverend *Charles Chadwicke*, *John Curr*, *James Camm*, *Peter Cadman Junior*, *Francis Carr*, *Thomas Colley*, the Reverend *James Dixon*, *John Darwin*, *Samuel Deakin*, *James Drabble*, *John Dewsnap*, *Vincent Henry Eyre Esquire*, *John Eyre*, *John Eadon*, *Benjamin Fenton*, *William Fairbank*, *John Furness of the Wicker*, *John Greaves*, *Samuel Greaves*, the Reverend *Wilfred Huddleston*, *Thomas Holy*, *Daniel Holy*, *John Hensfrey*, *John Hoyland*, *Joshua Hawksley*, *Thomas Harrison*, *William Harwood*, *John Heppenshall*, *Rowland Hodgson*, *John Hounsfeld*, *Anthony Huston*, *Thomas Leader Junior*, *William Littlewood of the Park*, *Samuel Lucas*, *Henry Longden*, Reverend *Alexander Mackenzie*, *Gamaliel Milner*, *David Mallinson*, *Jonathan Marshal*, *James Makin*, *Hugh Meller*, *Samuel Newbould*, *Thomas Newbould Junior*, *Thomas Nowill*, *Thomas Newton Grocer*, *William Newbould*, Reverend *Matthew Preston*, *Charles Proctor*, Reverend *Henry Pearson*, *Thomas Rawson*, *Samuel Roberts of the Park Grange*, *Joseph Read*, *Jacob Roberts*, *John Rawson*, *Ebenezer Rhodes*, Reverend *Thomas Radford*, *Benjamin Sayle*, *William Shore Esquire*, Reverend *George Smith*, *Samuel Staniforth Linen Draper*, *John Sorby*, *Peter Spurr*, *John Shore Junior*, *James Shemeld*, *William Aldham Smith*, *Mark Skelton Junior*, *John Shuttleworth*, *Benjamin Shepherd*, *Robert Turner*, *Lewis Thomas*, *John Vickers of the Mill Sands*, *Benjamin Wainright Doctor of Physic*, *George Woodhead Esquire*, *Thomas Weldon*, *Thomas Watson of George Street*, *Samuel Broomhead Ward*, *William Wilson of Pond Street*, *Joseph Wilson*, *Thomas Wilson of Clifford*, *William Wilson*, *Joseph Withers*, *Thomas Wild*, *Thomas Aspine Ward*, *Edmund Wilson*, *Richard Walton*, *Joseph Wreaks*, *John Wreaks*, *William Younge Doctor*



of Physic, *William Younge, Samuel Younge, Charles Younge, and Richard Yeomans*, shall be and are hereby appointed Commissioners for the Recovery of Debts not exceeding Five Pounds within the said Manors of *Sheffield* and *Ecclesfall*, and within the Limits of the Courts belonging to the said Manors of *Sheffield* and *Ecclesfall* respectively; and the said Commissioners and their Successors are hereby constituted Courts of Justice by the Name of the Court of Requests for the Manor of *Sheffield* in the County of *York*, and the Court of Requests for the Manor of *Ecclesfall*, in the County of *York*.

III. And be it further enacted, That the said Commissioners shall and they are hereby empowered and required to meet and hold the said Court for the Manor of *Sheffield* aforesaid once in every Three Weeks; the First Meeting or Court to be held on the Third *Thursday* next after the passing of this Act, and the subsequent Meetings or Court to be held every Third *Thursday* afterwards; and for the Manor of *Ecclesfall* aforesaid once in every Three Weeks; the First Meeting or Court to be held on the Fourth *Monday* next after the passing of this Act, and the subsequent Meetings or Courts to be held every Third *Monday* afterwards, or oftener, in both or either of the said Manors if in the Judgement of the major Part of the Commissioners for the Time being, appointed or to be appointed by virtue of this Act, at any Time to be assembled for that Purpose, they shall so think fit and direct, so as such Court shall not be held oftener than One Day in each Week; such Meetings or Courts to be held in some convenient Place within the said Town of *Sheffield* for the said Manor of *Sheffield*, and for the said Manor of *Ecclesfall*, in some convenient Place within the same Manor, as the major Part of such Commissioners as aforesaid shall from Time to Time appoint for that Purpose, and the said Commissioners, or the major Part of them who shall be present, such Number present not being less than Three, at their several Meetings, to be holden in pursuance of this Act, are hereby authorized and empowered to hear and determine all such Actions and Causes as are herein-after mentioned, and to give such Judgements, and to make such Orders and Decrees therein, and to award Execution thereupon, with the Costs, against the Body or Bodies, or against the Goods and Chattels of all and every the Person or Persons against whom they shall give any such Judgement, or make any such Order or Decree, as to them shall seem right and proper, consistently with the Rules and Regulations in this Act contained; and in case of an Equality of Votes in any Action, Cause, or Question before the said Commissioners, then and in every such Case the Commissioner who stands first in the List of Names of the said Commissioners then present (which List is hereby required to be kept hung up in the several Court Houses or Places where the said Commissioners meet) shall have the decisive or casting Vote.

IV. And, for better regulating the Sittings of the said several Courts, be it further enacted, That the said Commissioners shall not hold the said Courts, or hear or determine any Suit or Cause, to be heard or determined by the said Commissioners by virtue of this Act, in either of the said Courts, except between the Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon; and nothing in this Act contained shall extend, or be construed to extend, so as to require or compel the Attendance of any Plaintiff or Plaintiffs, Defendant or Defendants,

Meetings.

Time of hearing Causes.



ants, Witness or Witnesses in the said Courts, in pursuance of any Action or Summons issued out of the said several Courts by any Person or Persons whomsoever acting as an Officer or Officers of the said Courts, save and except between the said Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon, except in the Event of any Cause having been begun and in part proceeded in before the said Hour of Three.

Three Commissioners for Sums not exceeding Forty Shillings, and Five Commissioners for Sums above Forty Shilling.

How new Commissioners shall be chosen.

V. Provided always and be it enacted, That on the Decision of each and every Action, Cause, or Question for the Recovery of any Sum not exceeding Forty Shillings in either of the said Courts, Three at least of the Commissioners shall be present in Court, and on the Decision of each and every Action, Cause or Question for the Recovery of any Sum exceeding Forty Shillings, Five at least of the Commissioners shall be present in Court.

VI. And be it further enacted, That when any Six of the said Commissioners hereby appointed, or hereafter to be appointed by virtue of this Act, shall be dead or shall have refused to act, or become incapable of acting, or shall have ceased to have the Qualification hereinafter required, then and in every such Case, it shall and may be lawful to and for the Lord or Lady of the said Manor of *Sheffield* for the Time being to nominate Nine fit Persons to be Commissioners, and for the Lord or Lady of the said Manor of *Ecclesall* for the Time being to nominate Three other fit Persons to be Commissioners within the Space of Twenty-one Days next after the Number of such Commissioners shall be reduced as aforesaid, or so soon after as conveniently may be, out of which Twelve Persons so to be nominated as last aforesaid, Six new Commissioners shall be appointed in Manner herein-after mentioned, and Notice in Writing of a Time and Place of Meeting for the Choice of such Six new Commissioners shall be given by the Clerk of the said Court for *Sheffield* to each of the then Commissioners, or left for them respectively at their last or usual Places of Abode; and such Notice shall also be affixed on the Door of the Court Houses for the said Courts of *Sheffield* and *Ecclesall* respectively; Fourteen Days at least before such Meeting shall be holden; and the Names of such Commissioners so nominated with their Places of Abode, Profession, Trade or Calling, shall be presented by the Clerk of the said Court of *Sheffield* to the Commissioners assembled at such Meeting, and a Majority of such Commissioners for the Time being so assembled shall be at Liberty to strike out of such Lists Six of the Persons so nominated and presented, and the remaining Six on such Lists shall be the Commissioners elected; or in case the Names of none of the Persons so presented to the Commissioners shall be struck out, the first Four Names upon the List presented by the Lord or Lady of the Manor of *Sheffield* for the Time being, and the first Two Names upon the List presented by the Lord or Lady of the Manor of *Ecclesall* for the Time being, shall be the Commissioners elected; and such new Commissioners in either Case so elected as aforesaid, shall have the like Powers and Authorities for carrying this Act into Execution, and shall be subject and liable to the same Rules, Regulations, and Restrictions, to all Intents and Purposes whatsoever, as if they had been particularly named herein as Commissioners,

Commissioners to take an Oath.

VII. And be it further enacted, That no Person shall be capable of acting as a Commissioner in either of the said Courts, in the Execution of this Act (save and except in administering the Oath herein contained to the



the other Commissioners) until he shall have taken an Oath to the Effect following; that is to say,

‘ I *A. B.* do swear [*or being One of the People called Quakers, do solemnly affirm,*] That I will faithfully, honestly, and impartially, according to the best of my Skill and Judgement, hear and determine such Matters and Things as shall be brought before me by virtue of an Act made in the Forty-eighth Year of the Reign of King *George* the Third, intituled, [*set forth the Title of this Act*] without Favour or Affection, Prejudice or Malice, to any Person or Persons whomsoever, and also that I am a Householder within the Limits or Jurisdiction of One of the said Courts, and that I am possessed of a Real Estate of the Annual Value of Forty Pounds, or of a Personal Estate of the Value of One thousand Pounds above all Charges or Incumbrances whatsoever.

Form of Oath.

‘ So help me GOD.’

Which Oath or Affirmation the said Commissioners, or any One or more of them, is and are hereby empowered and required to administer in the said respective Courts, in open Court, and each and every such Commissioner shall and he is hereby required, (after taking the said Oath or Affirmation), to sign and subscribe his Name upon a Roll or Rolls of Parchment, to be provided for that Purpose by the Clerk of the respective Courts, with the said Oath or Affirmation written or printed thereon, and such Roll or Rolls shall be carefully kept amongst the Records of the Court to which the same shall respectively belong.

VIII. And be it further enacted, That no Person (save and except the Lords of the Manors of *Sheffield* and *Ecclesall* afore said for the Time being, the Representatives serving in Parliament for the said County of *York* for the Time being, the Stewards of the said respective Courts for the Time being, and also the Magistrates for the Time being acting and residing within the said Town of *Sheffield* or within the Distance of Fifteen Miles thereof) shall be qualified to act as a Commissioner in the Execution of this Act, unless he shall, at the Time of acting, be a Householder within the Limits or Jurisdiction of One of the said Courts, and possessed of a Real Estate of the annual Value of Forty Pounds, or of a Personal Estate of the Value of One thousand Pounds above all Charges and Incumbrances whatsoever; and if any Person not being qualified as afore said shall presume to act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence (over and above any Punishment that he may be subject and liable to for wilful and corrupt Perjury) 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, Complaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Impar lance shall be allowed; and in every such Action, Bill, Complaint or Information, the Proof of such Qualification shall be 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 Judgements, Orders, Decrees, Acts, and Proceedings of all and every Person and Persons acting as a Commissioner or Commissioners in the Execution of this Act, though not duly qualified as afore said previous to his or their being convicted of such Offence shall,

Qualification of Commissioners.

Act of the Commissioners good before Conviction.

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notwithstanding such Conviction, be as valid and effectual as if such Person or Persons had been duly qualified according to the Directions of this Act.

Appointment  
of Officers.

IX. And be it further enacted, That it shall and may be lawful to and for the Most Noble *Charles Duke of Norfolk* Lord of the Manor of *Sheffield* aforesaid, or the Lord or Lady of the said Manor of *Sheffield* for the Time being; and for the Right Honourable *William Wentworth Earl Fitzwilliam* Lord of the Manor of *Ecclefall* aforesaid, or the Lord or Lady of the said Manor of *Ecclefall* for the Time being, and they are hereby severally authorized and required within Fourteen Days from and after the passing of this Act, to nominate and appoint, under his, her, or their respective Hand or Hands, fit and proper Persons for the Offices of Steward, Bailiff, and other necessary Officers, of and in the said Courts of Requests, for their said respective Manors, and that such Steward shall be a Barrister of not less than Five Years standing, and shall attend the Court to which he shall be so appointed as President thereof, at least Four whole Court Days in each and every Year, in order that he may from Time to Time superintend the Proceedings of such Court, and investigate and examine into the Books, Accounts, Papers, and Writings belonging thereto; and in Default of such Attendance by such Steward as aforesaid, then the Deputy Steward, or in case of the Non-attendance of such Deputy Steward, then the principal Clerk of the Court in which such Default shall have been made shall be entitled to One full Moiety of all Fees to which such Steward would have been entitled under this Act for the Year in which such Default shall have happened as aforesaid; and that when and as often as it shall happen, that the Office or Offices of Steward, Bailiff, or Crier, or of any other Office or Offices, for the said respective Manors, shall become vacant, either through Death or Resignation, Suspension, Dismission, Removal, or Incapacity, then and in every such Case the said Most Noble *Charles Duke of Norfolk* and the said Right Honourable *William Wentworth Earl Fitzwilliam*, or the respective Lord or Lords, Lady or Ladies of the said several Manors for the Time being, in which such Vacancy may happen, are hereby respectively authorized, empowered, and required; within Twenty-eight Days after such Vacancy shall have happened, to nominate and appoint, under his, her or their Hand or Hands, another fit and proper Person to be Steward, Bailiff, or Crier, or other Officer or Officers, of and in the said Court in which such Vacancy shall have happened, and until such Nomination and Appointment shall be made as last aforesaid, it shall and may be lawful to and for the said Commissioners, or any Three or more of them assembled as aforesaid, to appoint such Officers respectively to do the Business of the Court in which such Vacancy shall have happened, until such Nomination and Appointment shall from Time to Time be made as aforesaid; and all Persons so appointed by the said Commissioners, or any Three or more of them, shall be and shall be deemed to be (during such Time as they shall be respectively so appointed to act as aforesaid) entitled to all the Advantages and Emoluments annexed to their several Offices by this Act, and subject to such Removal as aforesaid.

No Pawn-  
broker, &c.  
to be Stew-  
ard, nor any  
Commissioner  
capable of  
acting as such

X. Provided always, That no Person or Persons who shall be a Pawnbroker or Pawnbrokers, or who shall keep a Victualling House, Ale House, or any Public House of Entertainment, or who shall sell any Wine, Cyder, Beer, Spirituous, or other Strong Liquors by Retail, shall be capable



Commission-  
ers to enter  
their Proceed-  
ing 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 the Judgements, Acts, Orders, Directions, 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 of the Names of the Commissioners who shall be present at their respective Meetings, and such Entries shall be signed by One or more Commissioner or Commissioners of each respective Meeting; and such Entries when so signed, and such Book and Books, shall be allowed to be read in Evidence in Proof of the Proceedings of such Court in all Courts whatsoever.

Causés to be  
decided  
by the Com-  
missioners.

XVI. And be it further enacted, That it shall be lawful for the said Commissioners, and they are hereby enabled to decide and determine all Disputes and Differences between Party and Party for any Sum not exceeding Five Pounds in all Actions or Causes of Debt, whether such Debt shall arise upon any Specialty, Promissory Note, or Bill of Exchange, or for Rent upon Leases or Agreements, and in all Causes of Assumpsit, and in all Causes or Actions of Trover and Conversion, and in all Causes or Actions of Trespass or Detinue for Goods and Chattels taken or detained.

Commission-  
ers not to de-  
termine any  
Cause when  
the Title to  
Land is  
brought in  
Question.

XVII. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, so as to enable the said Commissioners to determine the Right or Title to any Lands, Tenements, or Hereditaments, or Real Estate whatsoever, or to judge, determine, or decide any Debt, where the Title of the Freehold or Lease for Years of any Lands, Tenements, or Hereditaments, or of any Chattels Real whatsoever shall be brought or come into question, nor any Debt for any Sum being the Balance of an Account on Demand, originally exceeding Five Pounds, or to judge, determine, or decide on any Debt that shall arise by Reason of the Occupation of Lands, Tenements, or Hereditaments, situate elsewhere than within the Jurisdiction of the said Courts or One of them, or 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 for or by way of Retainer of Tithes, any Thing in this Act contained to the contrary notwithstanding.

Actions not to  
be split for  
the Purpose  
of bringing  
them before  
the Court.

XVIII. 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 or Action for the Recovery of any Debt where the whole Sum in demand which shall appear to be due and owing shall exceed the Sum of Five Pounds, in order that the same may be made the Ground of Two or more Causes or Actions, for the Purpose of bringing such Causes or Actions within the Jurisdiction of the said Courts or One of them; and in case it shall appear to the said Commissioners that any Plaintiff shall have so split or divided his or her Cause or Action as aforesaid; then and in every such Case the said Commissioners shall, and they are hereby required to dismiss with Costs every such Cause or Action where the original Sum in Demand shall be so split or divided; but such Dismissal shall not hinder or prevent such Plaintiff from proceeding for the Recovery of his or her Debt



ble of holding the Office of Steward or Deputy Steward, or any other Place of Profit or Business, belonging to either of the said Courts; and that no Person shall be competent to act as a Commissioner in the Execution of this Act, during the Time he shall remain in the Capacity of Deputy Steward or Clerk of either of the said Courts.

during such Time as he shall be Steward or Deputy.

XI. And be it further enacted, That it shall and may be lawful to and for the respective Stewards of the said Courts of Requests for the Time being to nominate One or more sufficient Deputy or Deputies, to act for him in the Office of Clerk to the Court to which such Steward shall have been appointed, which Deputy or Deputies in the Absence of the Steward of the Court to which he shall have been appointed, shall have the same Authority as if the Steward himself were 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 Steward of the said Court of Requests, who shall have appointed such Deputy for the Time being, and such Steward or his Deputy is hereby empowered and required, to issue all Summonses, Warrants, and Precepts, and to register all Orders, Decrees, and Judgements of the said Court, to which he or they shall be so appointed as aforesaid, and do all such Acts, Matters, and Things, as are directed or required to be done by the Steward of such Court by virtue of this Act; and shall register and enter, or cause to be registered and entered in proper Books, to be provided by such Steward and kept for that Purpose, all the Acts and Proceedings of the said Court to which he shall be appointed, of what Nature or Kind soever; nevertheless it is hereby enacted and declared, that the Steward of the said respective Courts shall be answerable and accountable for all Acts, Receipts, Matters, and Things, to be done, received, or transacted by the Deputy of such Steward.

Power for the Steward to appoint a Deputy.

Steward to be answerable for the Acts of his Deputy.

XII. And be it further enacted, That in case by reason of the Neglect, Omission, or Refusal of the said Commissioners, a sufficient Number of the said Commissioners shall not be present to act in the Execution of this Act as is herein-before directed, on any of the Days appointed for holding the said respective Courts, then and in every such Case it shall and may be lawful to and for any of the said Commissioners who shall be present at such Court, and if no Commissioner shall be present, it shall and may be lawful to and for the Steward or his Deputy for the Time being of either of the said several Courts, to adjourn the said Courts respectively to the next Court Day, on which such respective Courts are herein-before directed to be holden, or to some earlier Day.

If sufficient Commissioners do not attend, Court may be adjourned.

XIII. And be it further enacted, That the several Officers of the said respective Courts shall execute, do and perform such Orders, Warrants, Precepts, Acts, Matters, and Things, as may be required to be done by them respectively by virtue of this Act.

Officers of Crier and Bailiff.

XIV. And be it further enacted, That every Steward, Bailiff, Crier, or other Officer of the said Courts respectively, to be appointed under or by virtue of this Act, shall hold his and their Office and Offices of Steward, Bailiff, Crier, or other Officer, during the Will and Pleasure of the several Lords of the said several Manors of *Sheffield* and *Ecclesall* respectively, and not longer or otherwise.

Officers may be displaced at the Will of the Lord.

XV. And



Debt in any of His Majesty's Courts of Record at *Westminster*, or in such other Manner as he or she may lawfully proceed.

XIX. Provided always, and be it enacted, That in case any Plaintiff who shall have split or divided such his or her Cause or Action, shall be willing to accept such Sum of Money as the Commissioners acting in the said Courts respectively are in and by this Act enabled to adjudge, decree, and pronounce, in full of the Whole of his or her Demand, in such Cause or Action so split or divided, then and in every such Case the said Commissioners shall and may adjudge, decree, and award on such Plaintiff proving his or her Cause or Case to the Satisfaction of the said Commissioners, such Sum to the Plaintiff, not exceeding the Sum of Five Pounds, as to the said Commissioners shall seem just and reasonable, and such Sum shall in the Judgment or Decree to be pronounced 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 Cause or Case so split or divided.

Action may be brought where the original Demand exceeded *sl.* if the Plaintiff shall be satisfied, to waive the Residue of his Demand.

XX. And whereas Persons residing in and contracting Debts within the Limits of One of the said Courts to avoid Suit do often remove into the Limits of the other of the said Courts, whereby Plaintiffs are prevented from recovering their Debts by reason of the Defendant or Defendants not being resident within the Jurisdiction in which such Debts have been contracted, be it therefore further enacted, That any Defendant or Defendants removing from one of the said Jurisdictions into the other, shall not prevent any Plaintiff or Plaintiffs entering Suit and proceeding against such Defendant or Defendants in the Jurisdiction where such Defendant or Defendants may happen to be resident at the Time of issuing such Summons, notwithstanding the Debt may have been contracted, or the Cause of Action arisen within the Jurisdiction in which the Defendant or Defendants shall not then be resident, and that it shall be lawful for the said Commissioners to proceed against such Defendant or Defendants, and to award Execution either against the Body or Goods of such Defendant or Defendants, and for the Bailiff of the Court from which such Summons shall issue, to take such Defendant or Defendants into Custody, and dispose of such Goods as if he or they had remained resident in the Jurisdiction of the Court in which such Debt was contracted, or Cause of Action accrued, and such Proceedings shall not be stayed by the Removal of any such Defendant or Defendants again into or within the Limits or Jurisdiction of the said other Court.

Defendant contracting Debt within one Jurisdiction, and removing into the other, to be liable to Suit in that Jurisdiction in which Defendant may happen to be resident when Suit commenced.

XXI. And to the Intent that no undue Preference may be made and given in summoning the said Commissioners appointed, or to be appointed in pursuance of this Act, to attend the said respective Courts; be it further enacted, That the Bailiff or Bailiffs of the said respective Courts for the Time being, to be nominated and appointed by virtue of this Act shall be, and he and they is and are hereby required to summon on the *Monday* next before each and every Court Day, held for the said Court for *Sheffield*, and on the *Thursday* next before each and every Court Day, held for the said Court for *Ecclefall*, by Notice in Writing, to be left at the respective last or usual Places of Abode of the Commissioners, to be so summoned, Ten of the Commissioners to attend each of the said Courts as Commissioners on the respective Court Days, expressed in such Notice or Notices, and the First Ten Commissioners to be summoned shall be the Ten

For summoning Commissioners to attend.



Commissioners whose Names shall stand first upon the List hereby directed, to be hung up in the several Courts, or Place or Places of meeting of the said Commissioners; and the next Ten Commissioners to be so summoned, shall be the Five Commissioners whose Names shall stand next in such List, and the Five last Commissioners who were summoned to attend the last preceding Court, and so in like Manner Ten Commissioners shall be summoned for each ensuing Court in the said several Manors, in like Order and Rotation until such List shall be gone through, and then such List shall be gone through again.

But this is not to exclude any other Commissioner from acting.

XXII. Provided always, and be it enacted, That nothing herein contained shall extend, or be construed to extend, so as to exclude any of the said Commissioners for the Time being from sitting in the said several Courts, although such Commissioner shall not have been summoned, or stand in Rotation to be summoned, but that each and every such Commissioner, if he shall think fit so to do, shall and may sit and hear, and assist in determining, giving Judgment, and making Orders and Decrees in the said several Courts, and shall have the like Powers and Authorities as any Commissioner so summoned as aforesaid, any Thing herein-before contained to the contrary thereof in anywise notwithstanding.

Debtors to be summoned before the Commissioners, who may make Orders between the Parties.

XXIII. And be it further enacted, That from and after the first Meeting of the said Commissioners, in the said several Courts, it shall and may be lawful to and for any Person or Persons (whether such Person or Persons shall reside within the Jurisdiction of One of the said Courts or not) having any Debt or Debts on the Balance of Account in Demand or otherwise howsoever, not exceeding the Value of Five Pounds, due or owing or belonging to him, her, or them, in his, her, or their own Right or in the Right of any other Person or Persons, or as Executor or Administrator, Guardian, Assignee, or Trustee to any Person or Persons, or due or owing to him as Collector of any Rates or Taxes, or as Clerk or other Officer, to any Commissioners, or to any Club or Friendly Society duly associated and constituted by the Statutes in that Case made and provided; or in any other Manner whatsoever, which the said Commissioners by this Act are enabled to judge and determine, and not expressly prohibited by this Act, or by or from any other Person or Persons whatsoever, inhabiting or residing within the said several Manors or Jurisdictions; or keeping and using any House, Warehouse, Lodging, Shop, Shed, Stall, Stand or other Place of dealing, or working, or generally using and frequenting the Markets there, as a Dealer, or seeking a Livelihood, to apply to the Steward of the Court, for the Time being, in which such Debt, or the greatest Part thereof shall arise, if the Defendant shall then be resident within the Jurisdiction of that Court, and if not resident there, then to the Steward of the Court, in which such Defendant shall be resident, or to the Deputy of such Steward, who shall immediately make out and deliver to One of the Bailiffs of the said Court for the Time being, in which such Debt shall arise, or Defendant shall be resident, a Summons in Writing under the Hand of such Steward, or his Deputy, directed to such Debtor or Debtors, expressing the Sum demanded of him, her, or them, and stating the Particulars, of such Demand or Cause of Action, together with the Name of the Party demanding the same, and requiring him, her, or them to appear at a certain Time and Place, to be mentioned in such Summons, before the Commissioners of the said Court, from which such Summons shall issue, to answer such Demands; and such Bailiff shall forthwith serve or cause such



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, at the Dwelling-house, Warehouse, Lodging, Place of Abode, Shop, Shed, Stall, Stand or other Place of dealing, trading, or working of such Debtor or Debtors, being within the Jurisdiction of One of the said Courts, and upon due Proof made of such Summons having been duly served in Manner aforesaid, the said Commissioners present in Court, such Number present not being less than by this Act directed, are hereby required and empowered to make due Enquiry concerning such Demands or Plaints, and make such Orders and Decrees therein and pass such Final Sentence and Judgement thereupon and award such reasonable Costs of Suit, as to them shall seem right and proper, consistently with the Rules and Regulations in this Act contained.

XXIV. And, for the better Discovery of the Truth, and more solemn Determination of the Matters and Causes which shall be depending in either of the said Courts, be it further enacted, That it shall and may be lawful to and for the said Commissioners present in the said several Courts, to administer an Oath or Oaths or Affirmation or Affirmations to any Officer of the said Courts, or to any Party or Parties whom they the said Commissioners shall think proper to examine, touching the Matters then in Question, and also to such Witnesses or Witnessess as shall be produced by each Party, and also to any other Person or Persons whose Evidence shall seem necessary towards the hearing or determining any of the said Causes or Actions, or making any Order or Decree therein, or for any other Purpose requisite for the better Execution of this Act.

Commissioners may administer Oaths.

XXV. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff on the Trial of any such Cause or Action as aforesaid, or of any Cause of Action, except such as is stated in the said Summons hereby directed to be given, nor shall any Evidence be admitted on Behalf of the Defendant or Defendants on the Trial of such Cause or Action 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 such Demand or Cause of Action unless Proof to the Commissioners or parol Notice thereof has been given to the said Plaintiff or Plaintiffs, or Notice thereof in Writing has been given by personal Service, or by leaving it at his, her, or their Dwelling-house, Warehouse, Lodging, Place of Abode, Shop, Shed, Stall, Stand, or other Place of dealing, trading, or working previous to the Day when such Matter or Cause shall be heard or tried.

No Evidence to be given by Plaintiff of any Matter not stated in his Summons, nor by Defendant of any Cross Demands he may have on the Plaintiff, unless Notice thereof be given by him.

XXVI. And be it further enacted, That if any Debtor or Debtors who shall have been duly summoned to either of the said Courts 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 Court to which he or they shall have been summoned, except Cause to the Satisfaction of the said Commissioners shall be stated at the Time and Place mentioned in the said Summons, then and in every such Case it shall and may be lawful to and for the said Commissioners assembled in the said Court, from which such Summons shall have issued, upon Proof made upon Oath of the Service of the said Summons in Manner aforesaid, to hear the Cause on the Part of the Plaintiff or Plaintiffs only, and make such Order, Decree, or Judgment therein, and award such reasonable Costs of Suit as to them shall seem right

If Debtor does not appear, Commissioners may proceed on the Part of Plaintiff.



right and proper, and consistently with the Rules and Regulations in this Act contained.

And if the Plaintiff does not appear to prove his Demand, Defendant shall have Costs.

XXVII. And be it further enacted, That if upon any Day of the Return of any Summons issued on the Behalf of any Plaintiff or Plaintiffs, or at any Continuation or Adjournment of the said Courts or either of them, or of the Cause, or on Account of which Suit 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 Court from which such Summons shall have issued, but shall become nonsuited, or Judgment shall be pronounced against him, her, or them by such Court, then and in every such Case it shall and may be lawful to and for the said Commissioners present in such Court, and they are hereby required to award to the Defendant or Defendants such reasonable Costs, and such reasonable Satisfaction, for his, her, or their Trouble and Attendance as the Commissioners in such Court in their Discretion shall think fit, and to order and compel the Plaintiff or Plaintiffs to pay the same, by such Ways and Means as are herein provided for the Recovery of Debts ordered or decreed by such Court.

Commissioners may award Execution against the Body or Goods.

XXVIII. And be it further enacted, That in any Cause, Action, or Case where the Commissioners in the said respective Courts shall have made an Order or Decree for the Payment of Money, it shall and may be lawful to and for the said Commissioners present in such Court to award Execution either against the Body or Goods of the Party against whom such Order or Decree shall be made, and thereupon it shall and may be lawful to and for the proper Officer of the said respective Courts, at the Prayer of the Party prosecuting such Order or Decree for the Payment of Money, to issue a Precept under his Hand and Seal by Way of *Capias ad Satisfaciendum* or *Fieri Facias* to One of the Bailiffs of the Court from which such Execution shall issue, who, by virtue of such Precept issued upon Execution awarded against the Body of such Party, shall and may and he is hereby empowered to take such Party, being within the Jurisdiction of either of the said Courts, and carry him, her, or them to the common Gaol or Prison, within the respective Jurisdiction of the Court from which such Process shall have issued, there to remain 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; and in case any such Process shall be issued upon Execution against the Goods and Chattels of such Party, such Bailiff shall and may, and he is hereby empowered to levy by Distress and Sale of the Goods and Chattels of such Party, being within the Jurisdiction of the said Courts, or either of them, such Sum or Sums of Money and Costs as shall be so ordered, decreed, or adjudged; and if the Party against whose Body or Bodies any such Execution shall be awarded and Process thereupon shall issue, shall by absconding or by secreting or removing his, her, or their Goods or Chattels, or by any other Means prevent or evade the Service or Effect of any such Execution, it shall and may be lawful to and for the said Commissioners present in the Court from which such Process shall have issued, upon due Proof made thereof before them, by the Oath or Oaths of one or more credible Witnesses or Witnesses, at their Discretion to award further Execution either against the Body or Goods and Chattels of such Party; and Process shall issue thereupon and be served by One of the Bailiffs of such Court, in

In case Parties shall abscond or secrete their Goods.



Manner aforesaid, until the Plaintiff or Plaintiffs shall be fully paid and satisfied; and it shall and may be lawful to and for the said Commissioners from Time to Time, in case they shall think fit, for the Ease and Convenience of the Defendant or Defendants (and they are hereby authorized and empowered) to order, decree, or adjudge any Debt due to the Plaintiff or Plaintiffs to be paid by several Payments or Instalments, and under such Terms and Conditions, as may appear reasonable and just to them the said Commissioners for the Ease of the Defendant or Defendants, and the Security of the Plaintiff or Plaintiffs; and it shall and may be lawful to and for the said Commissioners present in the said respective Courts, in case any Default or Failure of any such Payments or Instalments so ordered, decreed, or adjudged and directed, shall afterwards be made, and they are hereby authorized and empowered at the Instance of the Plaintiff or Plaintiffs, and upon due Proof of the said Default or Failure, to award Execution against the said Defendant or Defendants, or against any other Person or Persons who may have given Security to the said Plaintiff or Plaintiffs, under the Directions of the said Commissioners for the Payment of such Payments or Instalments in Manner aforesaid, for the whole Debt or such Part thereof as shall then remain unpaid, together with such further Costs as to them shall seem just and reasonable; and such Debt or such Part thereof, and such further Costs shall be recovered by the same Ways and Means as are herein provided for the Recovery of the Debt and Costs first decreed.

XXIX. And as it may happen that Persons served with Process issuing out of the said Courts of Request, or either of them, may, in order to avoid Execution, remove their Persons and Effects beyond the Limits of the Jurisdiction of the Court, from which such Process shall issue; be it therefore enacted, That in all Cases where a final Decree or Judgement for any Sum or Sums shall have been obtained in either of the said Courts, it shall and may be lawful to and for any Bailiff of either of the said Courts to apply to any Justice of the Peace acting for the Division or Place to which such Defendant or Defendants, or his or her Goods and Chattels shall be removed, and upon Proof being made upon Oath, (which Oath such Justice is hereby authorized and required to administer,) of the Precept of Execution having been 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 respective Courts, 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 indorse his Name upon the back of the said Precept of Execution, and thereupon the Bailiff or other Officer of the said Court, shall be, and he and they is and are hereby authorized and empowered 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 indorsed the said Precept of 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 Precept so indorsed as aforesaid.

If Defendant remove out of the Jurisdiction of the Court to avoid Execution, a Justice of the Peace may indorse the Precept, &c.



Steward to  
indorse Debt  
and Costs on  
the Precepts,  
and if paid to  
Clerk of Court  
bef. re Sale,  
Execution to  
be superseded.

XXX. And be it further enacted, That upon each and every Precept to be issued upon Execution awarded against the Body, or Goods and Chattels, of any Person or Persons whomsoever, the Steward of the Court from which such Execution shall issue, shall indorse or cause to be indorsed, 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 any actual Sale of the Goods and Chattels, or before he, she, or they is or are apprehended, or before the Expiration of the Term of his, her, or their Imprisonment as herein mentioned, pay or cause to be paid, or tendered unto the Steward of the Court from which such Process shall have issued, or his Deputy, such Sum or Sums of Money and Costs, together with the Fee or Fees herein directed, to be paid such Steward as a Compensation for his Trouble in receiving the same, and in entering an Acknowledgment and Satisfaction in full for such Sum or Sums of Money and Costs, then and in every such Case the Execution shall be superseded, or the Body, or Goods and Chattels of the said Party or Parties shall be discharged and set at Liberty.

Process not to  
issue against  
the Person and  
Goods and  
Chattels of the  
same Persons.

XXXI. And be it further enacted, That it shall not be lawful to or for the said Commissioners, to issue any Process against the Body or Bodies of any Person or Persons in any Case or Cases, where the Party entitled to the Benefit of any Order, Judgment, or Decree, shall at the same Time have obtained any Warrant or Process against the Goods and Chattels of the same Person or Persons.

Commission-  
ers to suspend  
Proceedings  
in Cases where  
Debtors are  
ill or unable  
to pay the  
Debt.

XXXII. And be it further enacted, That in case it shall at any Time during the hearing of any Cause in either of the said Courts, appear by the Oath of any Person or Persons, or by the Certificate of any Medical Practitioner, to the Satisfaction of the major Part of the Commissioners present at the Court at which such 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 and may be lawful to and for the major Part of the said Commissioners assembled in such Court as afore-said, to suspend or supersede the Proceedings in such Cause.

Gaoler, &c. to  
receive Per-  
sons com-  
mitted.

XXXIII. And be it further enacted, That the Keeper or Keepers for the Time being of the respective Common Gaols or Prisons within and belonging to the said several Manors of *Sheffield* and *Ecclesfall*, shall and may, and they are hereby required to receive and take into their Custody respectively, all and every Person and Persons who shall be committed, or ordered to stand committed by the said Commissioners, or any Three or more of them present in either of the said Courts; and in case the Keeper or Keepers of the said several Gaols or Prisons shall neglect or refuse to receive and take into his or their Custody, any Person or Persons committed by virtue of this Act to the Prison belonging to and within the Jurisdiction of the said respective Courts, 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, and wilfully suffer such Person or Persons to go at large without a Warrant or Order for that Purpose, in Writing, signed in Court by the said Commissioners, or any Three or more of them, such Keeper or Keepers respectively so offending in either of the said Cases, and being thereof convicted before any One or more of His Majesty's Justices of the

Peace



Peace for the West Riding of the said County of *York*, upon the Oath of One or more credible Witnesses or Witnessess (which Oath such Justice or Justices is and are hereby authorized and required to administer), or upon his, her, or their own Confession, shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Pounds, at the Discretion of the said Justice or Justices; and in case such Sum shall not be immediately paid by the Person or Persons so offending into the Hands of the said Justice or Justices before whom such Offender or Offenders shall be convicted, then and in every such Case such Sum shall be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus, if any, to such Offender or Offenders, after deducting the Costs and Charges of such Distress and Sale; and such Forfeiture when so paid, levied, or recovered, shall be distributed amongst the Poor of the Town or Hamlet in which such Penalty shall be levied, in like Manner as the several other Fines or Penalties are by this Act directed to be distributed; and in case sufficient Distress shall not be found, it shall and may be lawful to and for such Justice or Justices to commit such Offender or Offenders to the House of Correction for the West Riding of the said County of *York*, for any Time not exceeding Six Calendar Months, unless such Penalty and Forfeiture, and all Costs and Charges attending such Conviction, be sooner paid and discharged.

XXXIV. And be it further enacted, That no Privilege shall be allowed to exempt any Person liable to be summoned by virtue of this Act, from the Jurisdiction of the said Courts of Request, on account of his being a sworn Attorney or Solicitor, or other Officer of any of His Majesty's Courts of Record at *Westminster*, or of any other Court whatsoever, but that all such Attornies, Solicitors, and other Officers shall be subject to the several Processes, Orders, Judgements, and Executions of the said several Courts of Request in the same Manner as any other Person or Persons is and are subject to the same.

No Privilege  
to be allowed  
to Attornies.

XXXV. And be it further enacted, That no Attorney, Solicitor, Scrivener, or any Person practising the Law, shall be permitted to appear in either of the said Courts of Request as an Attorney, Solicitor, or Advocate, for or on Behalf of any Plaintiff or Defendant, or any other Person, or be admitted to speak before or in the Presence of the Commissioners assembled in the said respective Courts or either of them, 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 either of the said Courts of Request as an Attorney, Solicitor, or Advocate before either of the said Courts, 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 Fifty Pounds, on being convicted thereof before any One or more of His Majesty's Justices of the Peace for the said West Riding of the County of *York*, upon the Oath of one or more credible Witnesses or Witnessess, 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

No Attorney,  
Solicitor, or  
Practiser of  
the Law, to  
be Advocate.



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; which Fine or Forfeiture, when so paid or levied and recovered, shall be distributed amongst the Poor of the Town or Hamlet in which such Penalty shall be levied, in like Manner as the several other Fines and Penalties are by this Act directed to be distributed.

Fees to be  
taken.

XXXVI. And be it further enacted, That the several Fees herein-after limited and expressed, and no other, shall be taken by the Steward, Bailiff, and Cryer of the said respective Courts for their several and respective Services in the Execution of this Act; that is to say,

	To Ten Shillings inclusive.	To Forty Shillings inclusive.	To Five Pounds inclusive.
<b>TO THE STEWARD.</b>			
Entering every Cause - - -	s. d. 0 4	s. d. 0 6	s. d. 1 4
Issuing every Summons - - -	0 4	0 6	0 8
Entering and drawing up Judgment, Decree, or Order - - -	0 6	0 8	1 4
Paying Money into Court and entering same in his Book - - -	0 4	0 8	1 0
Issuing Subpoena - - -	0 4	0 8	1 0
Issuing any Attachment, Precept, Order, or Execution - - -	0 8	1 0	1 4
For every Nonsuit - - -	0 8	0 8	1 4
For every Search in the Book - - -	0 3	0 4	0 8
For swearing each Witness - - -	0 2	0 3	0 6
<b>TO THE BAILIFF.</b>			
Serving every Summons, Order, or Subpoena within One Mile of the Court - - -	0 3	0 4	0 6
If above One Mile, extra for each Mile - - -	0 2	0 3	0 4
Execution of any Warrant, Precept, or Attachment against the Goods or Body - - -	0 6	1 0	1 6
If beyond One Mile from the Court, for every extra Mile - - -	0 2	0 3	0 4
If an Assistant be necessary for the Bailiff, for such Assistant - - -	0 4	0 6	1 0
If beyond One Mile from the Court, for every Mile extra for such Assistant - - -	0 2	0 3	0 4

And



And the said Commissioners shall, and they are hereby required to hang up and affix, or cause to be hung up and affixed, a Table of all such Fees in some conspicuous Place in each of the said Courts, or Place or Places of Meeting of the said Commissioners respectively, in order that all Persons concerned may be enabled to peruse the same.

Table of Fees to be hung up in the respective Courts.

XXXVII. And be it further enacted, That in every Case where any Wages, or any other Sum or Sums of Money whatsoever, not exceeding the Sum of Five Pounds, shall be due and owing to any menial Servant; Clerk, Book-keeper, Journeyman, Shopman, Shopwoman, Assistant, Labourer, or any other Person whatsoever, under the Age of Twenty-one Years, it shall and may be lawful to and for such Servant, Clerk, Book-keeper, Journeyman, Shopman, Shopwoman, Assistant, Labourer, or other Person, to sue for and recover such Debt in the said Courts in the same Manner as if he or she were of full Age; and the said Commissioners present in such Court are hereby authorized and required to take Cognizance of and proceed in all Causes concerning such Debts in the same Manner, and shall have such and the same Powers in regard thereto as if the Plaintiff or Plaintiffs were of full Age.

Debts due to Persons under Age may be recovered.

XXXVIII. And be it further enacted, That no Person or Persons whomsoever who shall be committed to the said Gaols or Prisons, or either of them, by order of the said Courts, or either of them, for any Debt or Debts, shall be kept or continued in Custody on any Pretence whatsoever, (except in Cases herein provided for) for any longer Space or Spaces of Time from the Time of his, her, or their Commitment to Prison, than is or are herein-after limited in that Behalf, (that is to say) where the Debt (exclusive of Costs) does not exceed the Sum of Twenty Shillings, then he, she, or they shall not be kept or continued in Custody for more than Twenty Days; and where the Debt (exclusive of Costs) is above Twenty Shillings and does not exceed Forty Shillings, then no more than Forty Days; and where the Debt (exclusive of Costs) is above Forty Shillings and does not exceed Three Pounds, then not more than Sixty Days; and where the Debt (exclusive of Costs) is above Three Pounds and does not exceed Four Pounds, then not more than Eighty Days; and where the Debt (exclusive of Costs) is above Four Pounds, then not more than One hundred Days from the Time of his, her, or their Commitment; and the said Keeper and Keepers of the said several Gaols or Prisons is and are hereby directed and required to discharge such Person or Persons accordingly.

Imprisonment of Debtors limited.

XXXIX. And, in order the more effectually to prevent Persons summoned for Debts to the said several Courts from the fraudulent Concealment of their Money or Goods, be it further enacted, That in case upon the Summons of any Person for any Debt or Debts before either of the said Courts, Information of any such Practice shall be given, such Court shall have Power to hear Evidence as to such fraudulent Concealment; and in case it shall be proved to the Satisfaction of such Court, upon the Oath of one or more Witness or Witnesses, (which Oath the said Courts are hereby severally empowered to administer) that any such Debtor has Money or Goods which he or she has fraudulently and wilfully concealed, then and in every such Case it shall and may be lawful to and for the Court to which such Information shall have been given, to enlarge the afore said Time of Imprisonment

If any Debtor concealing Money or Goods, the Time of his Imprisonment shall be encreased.



ment to any Period in addition thereto not exceeding Three Calendar Months.

The Time of Imprisonment shall extend separately and successively for each Execution.

XL. And be it further enacted, That all and every Person and Persons who shall be taken in Execution under or by virtue of any Process issuing from or out of the said several Courts of Request, and who at the Time of his, her, or their 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 Courts, or either of them, shall be imprisoned the Time by this Act limited for and in respect of such Execution, and after the Time so limited on the first Execution is expired, the Imprisonment on the second Execution, if in the same Court, shall commence; and after the Time so limited in the second Execution is expired, the Imprisonment on the third Execution, if in the same Court, shall commence, and so on until he, she, or they shall have been imprisoned the Time by this Act limited for and in respect of each separate Execution to be issued against him, her, or them in the said Courts respectively, previous 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.

Debtors not liable to pay Gaol Fees.

XLI. And be it further enacted; That each and every Person imprisoned by virtue of this Act shall on the Expiration of his or her Time of Imprisonment be discharged and set at Liberty, without paying any Sum or Sums of Money, Fee or Fees, Reward or other Gratuity whatsoever, to the Keeper or Keepers, Turnkey or Turnkeys, of the said Gaols or Prisons, or of either of them, or others, by way of Gaol Fees or Discharge Fees, or on any other Pretence whatsoever; and if any Keeper or Keepers, Turnkey or Turnkeys of the said Gaols or Prisons, or either of them, or any other Person whomsoever shall demand, take or receive any Fee or Fees, Sum or Sums of Money whatsoever, upon the Discharge of any such Person or Persons so committed to his or their Charge or Custody as aforesaid; or shall keep or detain any such Person or Persons a Prisoner or Prisoners after the Time by this Act limited for his, her, or their Imprisonment; every such Keeper, Turnkey and other Person shall for every such Offence forfeit and pay the Sum of Twenty Pounds; and it shall and may be lawful to and for any Two Justices of the Peace for the said West Riding of the said County of York, to hear and determine every such Offence; and such Two Justices are hereby authorized and required upon any Information exhibited or Complaint made before them of such Offence having been committed, in case such Information shall be exhibited or Complaint made within Three Calendar Months after the Offence committed, to summon the Party accused, and also the Witnesses on each Side, and to examine into the Matter, and upon due Proof made thereof by the Oath of one or more credible Witness or Witnesses, or by the voluntary Confession of the Party accused, to give Judgement or Sentence for such Penalty or Forfeiture aforesaid; and in case such Penalty or Forfeitures shall not be forthwith paid, to issue a Warrant under their Hands and Seals for levying such Penalty and Forfeiture, by Distress and Sale of the Goods and Chattels of the Offender or Offenders, rendering the Overplus, if any, after deducting such Penalty and Forfeiture and the Costs and Charges of such Distress and Sale, to the Owner or Owners thereof; and in case sufficient Distress shall not be found, it shall and may be lawful to and



for such Justices to commit such Offender or Offenders to the Common Gaol or House of Correction for the said West Riding of the said County of York, for any Time not exceeding Three Calendar Months, unless such Penalty and Forfeiture and all Costs and Charges attending such Conviction be sooner paid and discharged; and One Moiety of such Penalty and Forfeiture, when paid or received, shall be paid to the Person or Persons informing or suing for the same, and the other Moiety thereof to the Steward of the Court to which such Information shall have been given, and the same shall be by such Steward distributed amongst the Poor of the Town or Hamlet in which such Penalty shall have been levied, in such Shares and Proportions as to the Commissioners acting in the Court in which such Penalty or Forfeiture shall have been incurred, shall seem right and proper.

XLII. And be it further enacted, That if any Bailiff or Bailiffs, or other Officer or Officers of the said Courts, or either of them, employed to serve any Execution 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 and may be lawful to and for the said Commissioners upon Complaint and due Proof thereof made upon the Oath or Oaths of one or more credible Witnesses or Witnesses, to order such Bailiff to pay the Sum or Sums of Money for which such Execution was awarded, by the Party complaining, and to enforce the Payment thereof by the same Ways and Means as are herein provided for Recovery of their Debts; and it shall and may be lawful to and for the said Commissioners, and they are hereby enabled to impose any Fine not exceeding Ten Pounds for such Offence, on such Bailiff or Bailiffs, Officer or Officers of such Courts, or either of them, and such Fine if not forthwith paid shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of the said Commissioners, rendering the Overplus (if any), after deducting such Fine and the Costs 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 Town or Hamlet in which such Penalty shall be levied, as they the said Commissioners may think fit and proper.

Bailiff neglecting his Duty to pay the Debt.

XLIII. And be it further enacted, That if any Steward, Bailiff, Cryer, or any other Officer or Servant employed under or by virtue of this Act, or any of the Powers in Execution thereof, shall exact, take, or accept any Fee or Reward whatsoever, other than and except such Fees as are appointed and allowed to them respectively by virtue of this Act, 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, in which such Execution shall have been made at any of their Meetings, or upon Verdict or Judgement being had against him in such Action as next herein-after mentioned, be for ever incapable of serving or being employed under this Act in any Office of Profit or Emolument, and shall, over and above, forfeit and pay any Sum not exceeding Ten Pounds to any Person or Persons who shall sue for the same by Action of Debt, Bill, or Complaint,

Officers taking any Fee besides the Fees allowed by the Act.



Plaint, or Information in any of His Majesty's Courts of Record at *Westminster*, within Three Calendar Months after the Offence committed, in which Action or Suit no Effoign, Protection, or Wager of Law, or more than One Imparlance shall be allowed.

Punishing  
Witnesses not  
attending if  
summoned.

XLIV. And be it further enacted, That in case any Person or Persons residing or being within the Jurisdiction of the said several Courts after having been duly served with a Subpoena or Summons, to be issued by the Steward of the Court in which the Cause of Action shall have arisen or Suit prosecuted, and paid or tendered his or her reasonable Expences to attend and give his, her or their Evidence at a Time and Place in such Subpoena or Summons mentioned on Behalf of any Plaintiff or Defendant, shall neglect or refuse to appear pursuant to such Subpoena or Summons, due Proof being made of the Service of such Subpoena or Summons, and no sufficient Cause for his, her, or their Absence or Non-appearance being shewn to the Satisfaction of such Court, and Oath being made before the said Commissioners by the Party or Parties at whose Instance and on whose Behalf such Subpoena or Summons issued, that the Person or Persons served therewith was or were a Witness or Witnesses by such Party or Parties judged necessary for the Proof of his, her, or their Cause or Causes, Action or Actions, Complaint or Complaints, Defence or Defences, then and in every such Case it shall and may be lawful to and for the said Commissioners to impose any Fine not exceeding Ten Pounds, on such Person or Persons; and in case such Fine shall not be paid forthwith, such Fine shall and may be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders by Warrant under the Hands and Seals of the said Commissioners, rendering the Overplus, if any, after deducting such Fine and the Costs and Charges of such Distress and Sale, to the Owner or Owners of such Goods and Chattels; and such Fine when so paid, levied, or recovered, shall be paid over to the Party or Parties at whose Instance or on whose Behalf such Subpoena or Summons shall have been issued; and in case sufficient Distress shall not be found, it shall and may be lawful to and for any Three or more of the said Commissioners to commit such Offender to the Common Gaol or House of Correction in and for the said West Riding of the said County of *York*, for any Time not exceeding the Space of One Calendar Month.

Punishing Per-  
sons guilty of  
Perjury.

XLV. And be it further enacted, That if any Person or Persons upon Examination on Oath or Affirmation before the said Commissioners in any Action, Cause, or Matter, depending in the said Courts of Request, or either of them, or before any Justice or Justices of the Peace acting in Execution of this Act, shall wilfully and corruptly give false Evidence, or shall wilfully and corruptly swear or affirm any Matter or Thing which shall be false or untrue, such Person so offending and being duly convicted thereof, shall be and is hereby declared to be subject and liable to such Pains and Penalties as by any Law or Statute, Laws or Statutes in Force or Effect, Persons guilty of wilful and corrupt Perjury, are subject and liable to.

Commission-  
ers not to act  
when they are  
interested.

XLVI. And be it further enacted, That if any Commissioner of the said Courts for the Time being shall be Party to or concerned or interested in any Cause, Action, or Matter, depending in either of the said Courts,

or



or shall be the Father, or Son, or Brother of any Person or Persons concerned or interested in any such Cause, Action, or Matter, such Commissioner shall not be capable of acting as a Commissioner on the hearing or determining such Cause, Action or Matter, or making any Order, Decree, or Judgment therein; but such Commissioner after being heard in such Cause, Action, or Matter, shall withdraw until the same be finally determined; and if the Steward, or his Deputy, or other Officer of the said several Courts for the Time being, shall be a Party to or interested in any Cause, Action, or Matter depending in either of the said Courts in which such Cause shall be heard, such Steward, Deputy, or other Officer shall not exercise his said Office in such Cause, Action, or Matter, or in any Thing relating thereto, but the said Commissioners forming the said several Courts, shall and may appoint any other Person to execute the Office of such Steward or Deputy, or other Officer respectively, in all Things relating to such Cause, Action, or Matter.

XLVII. And be it further enacted, That if any Person or Persons shall contemptuously and wilfully insult or abuse all or any of the said Commissioners, or any of the Officers of the said several Courts for the Time being, during his or their Sitting or Attendance in either of the said Courts, or in going to or from the said Courts, or either of them, or shall hinder or obstruct the Proceedings of the said Courts, or either of them, then and in every such Case it shall and may be lawful to and for the Bailiff or Bailiffs of both or either of the said Courts, with or without the Assistance of any other Person or Persons, by the Order of the said Commissioners, to take such Offender or Offenders into Custody; and the said Commissioners shall examine into such Insult, Abuse, or Misbehaviour, either from their own View or Knowledge of what passed, or by the Oath or Oaths of One or more credible Witness or Witnesses, and upon such Insult, Abuse, or Misbehaviour being proved as aforesaid, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and empowered to impose a Fine not exceeding Ten Pounds on each and every such Offender or Offenders; and in case such Fine shall not be forthwith paid, such Fine shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Offender or Offenders by Warrant under the Hands and Seals of any Three or more of the said Commissioners, rendering the Overplus, if any, upon Demand, after deducting such Fine and the Costs and Charges of such Distress and Sale, to the Owner or Owners of such Goods and Chattels, and the said Fine when so paid, levied, or 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 Town or Hamlet in which such Fine shall be levied, as they the said Commissioners shall think fit and proper; and in case sufficient Distress shall not be found, it shall and may be lawful for any Three or more of the said Commissioners to commit such Offender or Offenders to the Common Gaol or House of Correction for the West Riding of the said County of York, for any Time not exceeding the Space of One Calendar Month.

For supporting the Dignity of the said Courts, and preventing Insults.

XLVIII. And be it further enacted, That the Stewards of the said several Courts shall fix or cause to be affixed or stuck up in the most public Part of the said several Courts or other Place where the Commissioners of the said

[Loc. & Per.]

22 T

Courts

Copy of the preceding Clause to be stuck up in the respective Court Houses.



Courts shall meet, a true Copy of the preceding Clause of this Act, to the End that no Person or Persons shall or may plead Ignorance thereof.

Nothing here-  
in contained  
to prevent  
any Person  
from distrain-  
ing for Rent.

XLIX. Provided always, that nothing herein contained shall extend or be construed to extend so as to prevent or restrain any Person from distraining for any Rent, or Arrears thereof, in case the same shall not exceed the Sum of Five Pounds.

Where Debt  
due from Two  
or more Part-  
ners.

L. And be it further enacted, That where any Debt shall be due and owing, or demanded from any two or more Persons, jointly by Reason or on Account of such Persons being Partners in Trade, or otherwise jointly concerned, Service of such Summons as aforesaid on any one of such Partners or Persons, or left at his, her or their last usual Place or Places of Abode, Warehouse, Lodging, Shop, Shed, Stall, Stand, or other Place of dealing, trading, or working, shall be as good and sufficient as if each of such Partners or Persons were separately summoned as aforesaid.

Statute of Li-  
mitations shall  
be pleaded.

LI. And for removing all Doubts whether the Statute of Limitations may be pleaded in the said Courts of Request, it is hereby further enacted and declared, That all Defendants in either of the said Courts shall be allowed to claim the Benefit of any Statute of Limitation in Force and Effect, 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 intitled 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 of Record at *Westminster*, or in any other Court, and had there pleaded such Statute in bar to the Action or Suit.

Recovery and  
Application of  
Penalties.

LII. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed), shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of any Three or more of the said Commissioners, (which Warrant such Commissioners are hereby empowered to grant upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath), and the Overplus (if any) of the Money arising by such Distress and Sale, shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting such Fines and Penalties, and the Costs and Charges of making, keeping, and selling the Distress, and such Penalties and Forfeitures, when recovered (if not herein before directed to be otherwise applied) shall be paid to the Steward of the said Commissioners of the Court in which such Penalty shall have been levied, and shall be by the Commissioners distributed amongst the Poor of the Town or Hamlet in which such Penalty shall be levied in such Manner as the said Commissioners or any Three or more of them shall think right and proper, and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for the said Commissioners, and they are hereby authorized and required, by Warrant under their Hands and Seals, to cause the Offender or Offenders to be committed to the Common Gaol or House of Correction for the said West Riding of the said County of York, there to remain without Bail or Mainprize for any Time not



LIII. 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,

LIV. 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 Proceedings relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall be afterwards done by the Party or Parties so distraining, 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.

LV. And be it further enacted, That no Order, Verdict, or Judgment, or other Proceeding made, touching or concerning any of the Matters aforesaid, or touching or concerning the Conviction of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only.

LVI. 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, Twenty-one Days before such Action be commenced, of 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 hath been made to him, her, or them; or to his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought, and in case no such Tender shall have been made, it shall and may be lawful to and for the Defendant or Defendants



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 Proceeding, Order, and Judgment shall be made and given in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Power to raise  
Money for  
passing this  
Act.

LVII. 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, 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 Steward of the Court for the said Manor of *Sheffield*; 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, and also for providing from Time to Time for the necessary Expences of Fire, Coals, Candles, and cleaning the respective Court Houses, or Places of Meeting of the said Commissioners, and for other necessary and proper Purposes, it shall and may be lawful to and for the respective Stewards of the said several Courts 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 either of the said Courts, 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 of Two Shillings, when the Amount of such Debt recovered shall amount to the Sum of Four Pounds; which Sum or Sums so to be raised as aforesaid, the respective Stewards of the said Courts are hereby required and directed 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 as hereafter mentioned; and that such Five or more Commissioners shall in the first Place apply the same in Liquidation of or in paying off such Sum or Sums of Money as may be borrowed, (and the Interest thereof), for the Purpose of preparing, obtaining, and passing this Act; and the Remainder of such Sum or Sums to be from Time to Time raised, shall be applied by any Five or more of the said Commissioners assembled for that Purpose, or by the Steward of the said several Courts for the incidental Expences attending such Courts as aforesaid.

Limitation of  
Actions.

LVIII. Provided always, and be it enacted, That no Action or Suit shall be commenced against any Person or Persons for any Thing done in pursu-  
ance



ance of this Act after Six Calendar Months next after the Fact committed, and every such Action or Suit shall be brought and tried in the County of York and not elsewhere, and if any such Action or Suit shall be brought before Twenty-one Days Notice shall have been given, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought in any other County 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 shall be nonsuited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared thereto, or if upon Demurrer Judgement shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall recover Costs, and shall have such Remedy for recovering the same as any Defendant hath for Costs of Suit in any other Cases by Law.

LIX. And be it further enacted, That in case any Suit or Suits shall be pending under the Act herein-before referred to, for regulating the said Courts, where the Plaintiff or Plaintiffs in such Suit or Suits shall not have obtained a Judgement or Judgements therein, previous to the passing of this Act, it shall and may be lawful to and for such Plaintiff or Plaintiffs to discontinue such Action or Actions, and to proceed for the Recovery of such his, her, or their Demand, under this present Act; and in case such Plaintiff or Plaintiffs shall prove his, her, or their Demand to the Satisfaction of the Commissioners for the Time being, in the Courts in which such fresh Action or Actions is or are brought, it shall and may be lawful to and for the said Commissioners, in Addition to the Demand so proved, to allow such Plaintiff or Plaintiffs his, her, or their reasonable Costs incurred in any Proceedings had under the said former Act, and the same shall be considered as Part of the Demand, and recoverable in the same Manner as the Debt or Debts so proved.

As to Proceedings had in Causes in which final Judgement is not obtained.

LX. And be it further enacted, That all and every Person or Persons confined in the Gaols of the said Manors of *Sheffield* or *Ecclesall*, or either of them, at the Time of the passing of this Act, or who shall be committed thereto within Fourteen Days afterwards, under or by virtue of the said former Act, shall remain and continue therein during the Remainder of the Time or Term, agreeably to the Order or Warrant under which he, she, or they, shall have been so committed, in the same Manner as if this present Act had never been made; and that all or any Warrant or Warrants already granted or obtained by virtue of or under the said former Act, against the Goods of all or any Person or Persons previous to the passing of this Act, shall, at the Option of the Plaintiff or Plaintiffs in such Suit or Suits, either be executed agreeably to the said former Act, or the Amount of such Debt and Costs may be sued for as a Debt recoverable under this present Act.

As to the Imprisonment of Persons on Judgment obtained prior to the passing of this Act.

LXI. And be it further enacted, That the Prison or Gaol for the Time being for the Liberty of *Hallamshire*, shall be and be used as and for the Prison or Gaol for the said Manor of *Sheffield*, and in which all Persons who shall be taken in Execution, or be committed or detained by virtue or in pursuance of this Act, shall and may be kept in safe Custody.

Prison of the Court for the Manor of Sheffield,



and Manor  
of Ecclefall.

LXII. And be it also enacted, That the Prison or Gaol for the Time being for the Manor of *Ecclefall*, shall be and be used as and for the Prison or Gaol for the said Manor of *Ecclefall*, and in which all Persons who shall be taken in Execution, or be committed or detained by virtue or in pursuance of this Act, shall and may be kept in safe Custody.

Saving to the  
Lords of the  
Manors.

LXIII. Provided always, and be it further enacted, That this present Act shall not extend, or be construed to extend, to do away or in any Manner interfere with all or any of the Copyhold or Customary Courts, or Court Leet or Court Leets, or any other Court or Courts within, belonging, or appertaining to the said Manors of *Sheffield* and *Ecclefall*, or either of them, or the said Liberty of *Hallamshire*, or to destroy or annul, diminish or prejudice any Rights, Liberties, Franchises, Usages, Customs, Royalties, Suits, Services, Privileges, Powers, or Authorities, enjoyed with, appertaining or belonging to the said Manors of *Sheffield* and *Ecclefall*, or either of them, or the said Liberty of *Hallamshire*, except so far as any of them may be inconsistent with the Provisions of this Act; any Thing herein contained to the contrary notwithstanding.

Publick Act.

LXIV. And be it further enacted, That this Act shall be deemed and taken to be a Publick Act, and shall be judicially taken Notice of as such, by all Judges, Justices, and others, without being specially pleaded.

Commence-  
ment of the  
Act.

LXV. And be it further enacted, That this Act shall commence and take Effect from and after the Second *Thursday* next after the passing of this Act.

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