



ANNO QUADRAGESIMO OCTAVO

GEORGII III. REGIS.

Cap. 109.

An Act to amend and enlarge the Powers of an Act passed in the Second Year of His present Majesty, for the more easy and speedy Recovery of Small Debts in the Town and County of the Town of *Kingston-upon-Hull.* [18th June 1808.]

WHEREAS an Act was passed in the Second Year of the Reign of His present Majesty, intituled *An Act for the more easy and speedy Recovery of Small Debts within the Town and County of the Town of Kingston-upon-Hull*, which hath been found useful and beneficial, but the same is in some Respects defective and insufficient fully to answer the good Purposes thereby intended: And whereas it would greatly tend to the Improvement and Encouragement of Trade, and to the necessary Support and Protection of useful Credit within the said Town and County, if the Powers of the Court constituted by the said recited Act of Parliament were extended to the Recovery of Debts not exceeding Five Pounds, and if the Number of the Commissioners of the said Court were enlarged, and if the Powers and Provisions of the said Act were in some other Respects altered, amended, and enlarged: 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 so much and such Parts of the said recited Act of the Second Year

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of the Reign of His present Majesty, as confine or restrain the Cognizance or Jurisdiction of the Court of Requests, for the said Town and County of the Town of *Kingston-upon-Hull*, to Debts under the Value of Forty Shillings, shall from and after the Second *Monday* next after the passing of this Act be and the same are hereby repealed.

Commis-
sioners.

II. And be it further enacted, That the Mayor and Aldermen of the Town of *Kingston-upon-Hull* for the Time being, together with the following Persons, *videlicet*, *John Storm, John Chapman, William Martin, John Ferraby, Robert Simpson, William Shackles, George Spence, John Spence, William Burland, George Chapman, Edward Chapman, William Levett, John Lawson, John Simpson, William Hall, Thomas Waltham, John West, John Briggs, Harrison Briggs, John Hudson, Samuel King, Charles Newbald, Edward Johnson, Thomas Locke, William Horncastle, William Corlass, Christopher Bolton, George Coulson, John Newmarch, Caius Thompson, William Smith, John Burstall, Richard Southorne, George Alder, William Todd, Anthony Jones, George Rudston, and Thomas Ellison Collinson*, shall be and they are hereby appointed Commissioners for putting the said recited Act and this Act into execution, and that they the said Commissioners now and hereafter to be from Time to Time elected and appointed, or any Three or more of them, shall and may from Time to Time have full Power and Authority to hear, examine, and determine all such Matters of Debt as are hereinafter mentioned; and the said Commissioners and their Successors are hereby constituted a Court of Justice by the Name of 'The Court of Requests for the Town, Port, and County of the Town of *Kingston-upon-Hull*;' and they the said Commissioners or any Three or more of them shall and they are hereby empowered and required to meet and hold the said Court on the same Days and at the same Time and Place as the same have been heretofore usually held under and by virtue of the said recited Act, and that the First Court to be held by the said Commissioners under this Act shall be on the First of the said Court Days under the said recited Act as shall be next in Course after the passing of this Act.

Commis-
sioner's Oath
and Quali-
fication.

III. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers and Authorities given by this Act or by the said recited Act after the passing of this Act, 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 Persons called Quakers*, do affirm], That I will faithfully, honestly, and impartially, 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 made in the Second Year of the Reign of King George the Third, intituled [*here set forth the Title of that Act*,] and of an Act passed in the Forty-eighth Year of the Reign of King George the Third, intituled '*An Act [here set forth the Title of this Act]* or of so much of the same [Two Acts] as now [are or] is in force, and that without Favour or Affection, Prejudice or Malice to any Person or Persons whom-

‘ whomsoever ; and also that I am a Householder within the Jurisdiction of the said Court, and that I am possessed of a Real Estate of the Annual Value of Fifty Pounds, or of a Personal Estate of the Value of One thousand Pounds, above all Charges or Incumbrances whatsoever.

‘ So help me GOD.’

Which Oath shall be in lieu and stead of the Oath mentioned or prescribed in the said recited Act ; and which said Oath herein-before mentioned or contained the Clerk of the said Court for the Time being or his sufficient Deputy is hereby empowered and required to administer in open Court, and each and every such Commissioner shall and he is hereby required (after taking the said Oath) to sign and subscribe his Name upon a Roll or Rolls of Parchment to be provided for that Purpose with the said Oath written or printed thereon, and such Roll or Rolls shall be carefully kept among the Records of the said Court.

IV. And be it further enacted, That no Person shall be henceforth qualified to act as a Commissioner in the Execution of this Act or of the said recited Act, unless he shall at the Time of acting be a Householder within the Jurisdiction of the said Court, and possessed of a Real Estate of the Annual Value of Fifty Pounds, or of a Personal Estate of the Value of One thousand Pounds, over and above all Charges and Incumbrances whatsoever ; and if any Person not being qualified as aforesaid 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, by Bill, Plaint, and Information, the Proof of which 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 Judgments, 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 aforesaid previous to his or their being convicted of such Offence, shall 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.

Qualification of Commissioners.

Penalty for acting without Qualification.

Acts of illegal Commissioners good before Conviction.

V. And for better regulating the Sittings of the said Court, be it further enacted, That the said Commissioners shall not hold the said Court, or hear or determine any Case or Cases, Cause or Causes, by virtue of the said recited Act or of this Act, but between the Hours of Three of the Clock in the Afternoon and Eight of the Clock in the Evening ; 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, Witness or Witnesses in the said Court, in pursuance of any Order or Summons issued out of the said Court, or by any Person or Persons whomsoever acting as

For regulating the Sittings of the Court.

as an Officer or Officers of the said Court, save and except between the said Hours of Three of the Clock in the Afternoon and Eight of the Clock in the Evening.

Officers appointed by former Act to continue until removed.

VI. And be it further enacted, That the Clerk and Serjeant or other Officer of the said Court nominated or appointed by virtue of the said recited Act, shall hold and enjoy their several and respective Offices and Employments in the same Manner as if the said recited Act had not been hereby altered, amended, or enlarged.

Election of new Commissioners and Officers.

VII. And be it further enacted, That in case of the Death or Refusal or Incapacity to act of any of the said Commissioners herein named or hereafter to be elected for the carrying this Act into execution, or of the Death or Removal of the present or any future Clerk or Clerks, Serjeant or Serjeants, or other Officer or Officers of the said Court, or in case it shall at any Time hereafter be found necessary to have any other or additional Serjeant or Serjeants of the said Court, the Vacancy or Vacancies so to be thereby occasioned shall be from Time to Time filled up and supplied, and any other or additional Serjeant or Serjeants so found to be necessary shall be elected and chosen in such Manner as by the said recited Act is, in the event of any such Vacancy or Vacancies, respectively provided for; and such Clerk or Clerks, Serjeant or Serjeants so to be chosen in the room of any Clerk or Clerks, Serjeant or Serjeants so dying or being removed as aforesaid, and such other or additional Serjeant or Serjeants, shall be subject to the like Pains and Penalties, and Powers of Removal, and to the like Rules and Regulations as are expressed and contained in the recited Act, and as the present Clerk and Serjeant or either of them are or is respectively subject to previous to the passing of this Act.

Debtors to be summoned before Commissioners, who may make Orders between Parties as they think fit.

VIII. And be it further enacted, That from and after the said Second *Monday* next after the passing of this Act, it shall and may be lawful to and for any Person or Persons (whether such Person or Persons shall reside within the Jurisdiction of the said Court or not) having any Debt or Debts on the Balance of Account, or in respect of Wages, Rent, or Arrears of Rent or otherwise howsoever (save and except as herein excepted) 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 Chamberlain, Town Clerk, or other Officer to any Body Corporate, as Collector of any Rates or Taxes, or as Clerk or other Officer to any Commissioners of Taxes, or of any Drainage or otherwise, 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 are by this Act enabled to adjudge and determine, and not expressly prohibited by this Act, by or from any other Person or Persons whomsoever inhabiting, residing, or being within the said Town of *Kingston-upon-Hull*, or the County of the same Town, or keeping and using any House, Warehouse, Wharf, Quay, Lodging, Shop, Shed, Stall, or Stand, or generally using and frequenting the Markets there as a Dealer, or seeking a Livelihood or sailing or navigating to and from the said Port and

and Haven of *Kingston-upon-Hull* aforesaid, to apply to the Clerk of the said Court for the Time being or his Deputy, who shall immediately make out and deliver to the Serjeant of the said Court for the Time being a Summons in Writing under the Hand of the said Clerk in such Form, and to such Effect, Tenor, and Purport, and which shall be forthwith served on such Debtor or Debtors in the Manner prescribed by the said recited Act, and as hath been heretofore used and accustomed in respect thereof; and upon due Proof made of the Service of such Summons, the said Commissioners present in Court (the Number of such Commissioners present not being less than by this Act directed) are hereby empowered and required to make due Enquiry concerning such Demands or Plaints, and make such Order or Orders and Decrees therein, and pass such final Sentence or Judgment thereupon, and award such Costs of Suit as to them shall seem meet and most agreeable to Equity and good Conscience, and they are also hereby empowered to order and direct the Payment of any such Debts to be made either in One Sum at once or by Instalments at stated Periods as they shall see Cause and deem just and reasonable.

IX. 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 Judgments, 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 the said recited Act and 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 the Chairman 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.

X. Provided always, and be it further enacted, That nothing in the said recited Act or 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 Estates whatsoever, or to judge, determine, or decide on 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 on any Debt for any Sum being the Balance of an Account or 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 in the said Town or County, or by reason of any Cause concerning Testament or Marrimony, 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 Tythes.

XI. And be it further enacted, That where any Debt shall be due or 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 or liable to pay the same Service of such Summons personally on any one of such Partners or Persons, and Notice thereof

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left

Where Debt due from Two Persons, summoning one of them shall be sufficient.

left at the last or usual Place or Places of Abode, Warehouse, Lodging, Shop, Shed, Stall, Stand, or other Place of dealing, trading, or working of the other or others of such Partners or Persons, shall be as good and sufficient as if each of such Partners or Persons were separately summoned as aforesaid.

Debts due to
Persons un-
der Age may
berecovered.

XII. 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 Person or Persons whomsoever, being under the Age of Twenty-one Years, it shall and may be lawful for such Person or Persons to sue for and recover such Debt in the said Court, in the same manner as if he, she, or they were of full Age; and the said Commissioners present in the said 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 all of full Age.

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

XIII. 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 that 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 Court; 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 so split and 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 lawfully may: Provided always, that in case any Plaintiff or Plaintiffs shall chuse to diminish or reduce his or her Cause of Action, originally exceeding the Sum of Five Pounds, and shall be willing to accept the Sum of Five Pounds, or such other Sum of Money as the said Court is in and by this Act enabled to adjudge, decree, and pronounce, and shall accordingly adjudge, decree, and pronounce to or in Favour of such Plaintiff or Plaintiffs in full of the whole of his or her Demand in such Cause of Action so diminished or reduced, then and in every such Case the said Commissioners shall and may on such Plaintiff or Plaintiffs proving his, her, or their Cause or Causes to the Satisfaction of the said Commissioners, adjudge, decree, and pronounce to him, her, or them, such Sums of Money not exceeding the Sum of Five Pounds, as to the said Commissioners shall seem just and reasonable, in the same Manner to all Intents and Purposes as if the original Cause of Action had been for no more than the Sum so adjudged, decreed, or pronounced; 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 said Plaintiff in such Cause or Case so diminished or reduced; and such Judgment or Decree shall effectually preclude and bar such Plaintiff or Plaintiffs from suing for or recovering in any Court or Courts of Law or Equity the

Power to re-
duce Debts
to 5*l.* in
order to sue
in this Court,
but the Sum
recovered to
be in full.

the Surplus of the Debt or Debts in any such Cause or Causes of Action.

XIV. And be it further enacted, That no Person or Persons whomsoever to be taken in execution upon any Judgment under or by virtue of this Act, shall be committed to Custody by Order or Process of the said Court for any Debt or Debts, or kept or continued in Custody on any Pretence whatsoever (except in the Case herein-after 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; (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 not 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) does not exceed Five Pounds, then not more than One hundred Days from the Time of his, her, or their Commitment; and the Gaoler or Keeper of the Prison to which such Person or Persons is or are or shall be committed is hereby directed and required to discharge such Persons accordingly.

Time of Imprisonment of Debtors limited.

XV. And in order the more effectually to prevent Persons summoned for Debt to the said Court from fraudulently concealing Money, Goods, or Effects; be it therefore enacted, That in case upon the Summons of any Person for any Debt or Debts before the said Court, Information of any such fraudulent Concealment shall be given, and such Debt or Debts shall be adjudged to be due, and Execution shall be thereupon awarded, such Court shall have Power to hear Evidence as to the Fact of such Concealment; and in case it shall be proved to their Satisfaction, upon the Oath of One or more credible Witness or Witnesses (which Oath the said Court is hereby empowered to administer) then and in every such Case it shall and may be lawful to and for the said Court to enlarge the aforesaid Times of Imprisonment of such Debtor to any Period in addition thereto, not exceeding Three Calendar Months.

If any Debtor or conceal Money or Goods, the Time of his Imprisonment shall be enlarged.

XVI. And be it further enacted, That from and after the passing of this Act 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 Court of Requests, 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, he, she, or they shall be imprisoned the limited Time for and in respect of each and every 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 limited Time for and in respect of each and every separate Execution to be issued against him, her, or them in the said Court previous to his, her, or their being

Time of Imprisonment to extend to each Execution.

May be superseded.

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

Debtors absconding or removing Goods to avoid Execution, may be taken in Execution on Process from the superior Courts.

Debtors not liable to pay Gaol Fees.

being taken in Custody, or during his, her, or their Imprisonment, any Law, Statute, or Usage to the contrary notwithstanding: Provided always, that nothing herein contained shall prevent or exclude any such Person or Persons so charged in Execution from being entitled to a Supersedeas on the Payment of the Debt or Debts and Costs awarded, and of such other Fees and Charges as are hereby or by the said recited Act directed or allowed to be paid, in the same manner as by the said recited Act is directed and provided: Provided also, 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.

XVII. And as it may happen that Persons served with Process issuing out of the said Court, may in order to avoid Execution remove their Persons and Effects beyond the Limits of the Jurisdiction of the said Court; be it therefore enacted, That in all Cases where a final Decree or Judgment for any Sum exceeding Ten Shillings shall have been obtained in the said Court, it shall and may be lawful to and for any of His Majesty's Courts of Record at *Westminster*; upon Affidavit made and filed of such Decree or Judgment being obtained and of diligent Search and Enquiry having been made after the Person or Persons of the Defendant or Defendants, or his, her, or their Goods and Chattels, and of the Precept of Execution having issued against his, her, or their Person or Persons or Effects, as the Case may be, 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, which Affidavit may be made before a Judge or Commissioner authorized to take Affidavits in any of His Majesty's Courts of Law at *Westminster*; and it shall and it may be lawful for such superior Court to cause the Record of the said Decree or Judgment to be removed into such superior Court, and to issue Writs of Execution thereupon to the Sheriff of any County, City, Liberty, or Place, against the Person or Persons or Effects of the Defendant or Defendants, in the same manner as upon Judgments obtained in the said Courts at *Westminster*; and the Sheriff upon every such Execution shall and he is hereby authorized to detain the Defendant or Defendants until the Sum of Twenty Shillings be paid to him, or to levy the same out of the Effects, according to the Nature of the Execution, for the extraordinary Costs of the Plaintiff or Plaintiffs in the said Court subsequent to the said Decree or Judgment, and of the Execution in the Superior Court, over and above the Money for which such Execution shall be issued.

XVIII. 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, or other Reward or Gratuity whatsoever to the Keeper or Keepers, or Turnkey or Turnkeys of the said Prison, or others, by way of Gaol Fees or Discharge Fees, or on any other Pretence whatsoever; and if any Keeper or Keep-

ers, Turnkey or Turnkeys of the said Prison, or any other Person or Persons shall demand, take, or receive any Fee or Fees, Sum or Sums of Money whatsoever upon the Discharge of any 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; and that every such Keeper, Turnkey, and other Person shall for every such Offence forfeit and pay the Sum of Twenty Pounds; and such Offence shall be heard and determined, and such and the like Penalty shall be imposed and be recovered, in the same manner as in such and the like Cases is prescribed and directed in and by an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intituled *An Act for regulating the Time of the Imprisonment of Debtors imprisoned by Process from Courts instituted for the Recovery of Small Debts, for abolishing the Claim of Fees of Gaolers and others in the Cases of such Imprisonment, and for ascertaining the Qualifications of the Commissioners.*

XIX. And be it further enacted, That the several Fees and Sums of Money herein-after limited and expressed and no other shall be taken by the Clerk and Serjeant or other Officer of the said Court of Requests for the Time being, for their several and respective Services in the Execution of the said recited Act and of this Act, in lieu and stead of the Fees and Sums of Money limited and expressed in the said recited Act; (that is to say),

Fees to be taken by the Clerk and Serjeant.

CLERK'S FEES.	On Debts not exceeding Ten Shillings.		On Debts above Ten Shillings and not exceeding Forty Shillings.		On Debts above Forty Shillings and not exceeding Five Pounds.	
	s.	d.	s.	d.	s.	d.
Entering every Cause	0	3	1	0	1	6
Issuing every Summons	0	6	1	0	1	6
For calling the Plaintiff and Defendant before the Court and entering Appearance	0	3	0	3	0	6
Issuing every Subpoena for the Attendance of not more than Two Witnesses	0	6	1	0	1	6
For a Nonsuit on the Plaintiff's not appearing	0	6	1	0	2	0
For every Hearing	0	6	1	0	1	6
Entering and drawing up every Order	0	6	0	9	1	6
Paying Money in full into Court, and entering the same in his Book	0	6	0	9	1	6
Paying Money by Instalments	0	6	0	9	1	0
Issuing every Attachment, Precept, Order, or Execution	1	0	1	6	2	6
Acknowledging Satisfaction in part or in full	0	6	0	6	1	0
For every Search in the Book	0	2	0	3	0	6
Swearing every Witness	0	3	0	4	0	6
For every Supersedeas of a Debtor charged in Execution	0	9	1	0	2	0

Table of Fees.

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For

CLERK'S FEES continued.	On Debts not exceed- ing Ten Shillings.	On Debts above Ten Shillings and not exceed- ing Forty Shillings.	On Debts above Forty Shillings and not exceed- ing Five Pounds.
	s. d.	s. d.	s. d.
For every Warrant of Commitment for an Insult or Misbehaviour in the Court, or to the Commissioner's Clerk or other Officer of the Court	1 0		
For receiving Money out of Court	0 3	0 6	1 0
SERJEANT'S FEES.			
For the Service of every Summons, Or- der, or Subpoena, in the Town	0 3	0 6	0 9
If out of the Town, for every Mile extra	0 2	0 3	0 3
For the Execution of every Warrant, Precept, or Attachment against the Goods or Body in the Town	0 6	1 0	2 0
If out of the Town, for every Mile extra	0 2	0 3	0 3
If an Assistant Serjeant be necessary in the Judgment of the Commissions, then for the Assistant in the Town	0 4	0 8	1 0
If out of the Town for every Mile extra	0 2	0 3	0 3

Table of
Fees to be
hung up in
the Court.

A Table of which said Fees shall be hung up by the Clerk of the said Court in some public and conspicuous Part of the Court House or other Place where the said Commissioners shall meet for the Purposes aforesaid, to the end that all Persons concerned may at all Times see and read over the same.

Penalty on
taking other
Fees.

XX. And be it further enacted by the Authority aforesaid, That if the said Clerk of the said Court for the Time being, or his Deputy or Serjeant of the said Court for the Time being, or any of them, shall knowingly take or demand any greater or other Fees than as herein mentioned, upon Complaint and due Proof thereof upon the Oath or Oaths of One or more credible Witness or Witnesses made in open Court, the said Commissioners, or any Three or more of them, being a Majority of the said Court, shall and are hereby required and empowered from Time to Time to punish such Offender by Fine not exceeding Twenty Pounds for One Offence, to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of the said Commissioners or any Three or more of them, rendering the Overplus (if any) after the Charges of such Distress and Sale are deducted ; which Fine and Fines when recovered shall be paid to the Treasurer or Treasurers for the Time being, or the Governor, Assistant, and Guardians of the Poor of Kingston-upon-Hull aforesaid, for and towards the Maintenance of such Poor as shall or may be chargeable to the said Town.

Repealing
certain Re-
strictions in
the said Act.

XXI. And whereas by the said recited Act it is (amongst other things) enacted, that no Suit which shall have been commenced in the said Court of Requests in pursuance of the said recited Act, nor any
Proceed-

Proceedings therein, shall or may be removed into any superior Court; be it therefore enacted, That the said Provision shall be and the same is hereby repealed and declared null and void.

XXII. 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 the said recited Act and of this Act or either of them, or on account of any Order, Determination, Judgment, or Decree of any of the said Commissioners, until Twenty-one Days Notice thereof shall be given in Writing, to be left at the Office of the Clerk of the said Court, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months next after the Cause of Action shall arise; and the Defendant or Defendants in such Action and Suits, and every of them, 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 the Plaintiff or Plaintiffs shall be nonsuited, or if a Verdict or Judgment shall be given for the Defendant or Defendants therein, then and in either of the said Cases such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any Cases by Law.

Limitation of Actions against the Commissioners, &c. acting under this Act.

May plead the General Issue. If Plaintiff nonsuited, or Verdict for Defendant, Treble Costs.

XXIII. Provided always, and it is hereby enacted, That the said recited Act, and all Powers, Provisoos, Clauses, Matters and Things therein respectively contained, shall, so far as the same are not hereby expressly repealed or otherwise provided for, and are not inconsistent with any of the Provisions of this Act, continue and be, and the same are hereby declared to be in full force, and shall extend and be construed to extend to all and every Person and Persons to whom this Act doth or shall extend, in the same manner as if the same were herein contained and expressed.

Recited Act, except where hereby repealed or otherwise provided for, extended to this Act.

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

Public Act,

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