



ANNO QUADRAGESIMO OCTAVO

GEORGI II. REGIS.

Cap. 110.

An Act for the more easy and speedy Recovery of Small Debts within the Township of *Wolverhampton*, and in the several Parishes and Places therein mentioned, in the County of *Stafford*.

[18th June 1808.]

WHEREAS there are in the several Townships, Parishes, and Places of *Wolverhampton*, *Wednesfield*, *Brewood*, *Pattingham*, *Busbury*, *Penn*, *Bilston*, *Willenball*, *Wednesbury*, and *Darlaston*, in the County of *Stafford*, many considerable and extensive Collieries, Iron Works, and Hardware and other large and extensive Manufactories, and the Inhabitants and Trade of the said Townships, Parishes and Places, have of late Years much increased, and the greatest Part of which said Inhabitants are working Colliers, Miners, Labourers, and Mechanics employed in the said Collieries, Iron Works, and Manufactories: And whereas the Merchants, Tradesmen, and Inhabitants of the said Townships, Parishes, and Places respectively, are, for the Purpose of recovering Small Debts under the respective Jurisdictions to which by the Common Law they must at present resort, obliged to be at an Expence sometimes far exceeding, and in all Cases highly disproportionate, to the Amount of the Sum sued for: And whereas it would greatly tend to the Improvement and Encouragement of Trade, and to the necessary Support and Protection of useful Credit in the said Townships, Parishes, and Places, were sufficient Powers vested in Commissioners to hear and determine Complaints concerning such Debts in a summary Way, in Two separate and distinct Jurisdic-

[Loc. & Per.]

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tions;

Commission-
ers for the
Wolver-
hampton,
Wednesfield,
Brewood,
Pattingham,
Busbury,
and Penn
Jurisdiction.

tions; One Jurisdiction to extend to the Townships of *Wolverhampton* and *Wednesfield*, and the several Parishes of *Brewood*, *Pattingham*, *Busbury*, and *Penn*; and the other Jurisdiction to extend to the several Townships of *Bilston* and *Willenball*, and the Parishes of *Wednesbury* and *Darlaston*, except the Manor of *Bradley* in the said Township of *Bilston*: But as the same cannot be effected without the Aid and Authority of Parliament; 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 several Justices of the Peace residing in and acting for the County of *Stafford* for the Time being, together with *James Adshead*, *John Alcock*, *Thomas Allen*, *Richard Andrews*, *Moses Anslow*, *William Bacon*, *William Baker*, *James Barber*, *Thomas Bedford*, *William Beetlestone*, *John Bill*, *Thomas Bill*, *Thomas Boycott Esquire*, *William Briscoe*, *Richard Briscoe*, *James Brown*, *William Buckle*, *William Careless*, *Thomas Careless*, *Thomas Cartwright of Rudge*, *William Chamberlain*, *William Chrees*, *William Chrees the Younger*, *William Clark*, *Lewis Clutterbuck*, *David Cole*, *William Cook*, *John Cook*, *Joseph Cornforth*, *John Corser*, *William Cox*, *Thomas Cox*, *Samuel Craddock*, *John Kenderdine Crutchley*, *Edward Curtis*, *Thomas Davis*, *Philips Deakin*, the Reverend *Thomas Dethick*, *Lawrence Devey*, *John Devey*, *Silvanus Earp the Younger*, *Thomas Eaton*, *John Egginton*, *William Egginton*, *Thomas Elwell*, *Richard Evans*, *Thomas Evans*, *Edward Farmer*, *Richard Farmer*, *Thomas Farmer*, *John Felton*, *John Fletcher*, *William Forster Wine Merchant*, *Joseph Forster*, *William Forster*, *Thomas Forster*, *Thomas Fowke*, *Robert Fregleton*, *Richard Fryer*, *Thomas Gibbons*, *Thomas Gibbons the Younger*, *John Gibbons*, *Ralph Gough*, *John Green*, *John Green Junior*, *William Green*, *Thomas Grosvenor*, *Thomas Grundy*, *Job Harding*, Reverend *Hamlet Harrison*, *Edward Harrold*, *John Lea Hayley*, *Thomas Bainbrigge Herrick Esquire*, *Phillip Hickin*, *John Higgs*, *John Higgs Junior*, *Benjamin Hill*, *William Hill*, *James Hobbins*, *James Horder*, *Thomas Howell*, *Thomas Jackson*, *Henry Jesson*, *John Jesson*, *Samuel Jones*, *Evan Jones*, *Robert Jones*, *Thomas Jones*, *William Jones of Penn*, Reverend *Matthew Kemsley*, *John Lewis*, *John Lickly*, *John Lingard*, *Richard Lockley*, *John Mackrell*, *John Mander*, *Benjamin Mander*, *Charles Mander*, *Charles Marsh*, *Richard Bayley Marsh Esquire*, *Thomas Mascall*, *Thomas Miller*, *Andrew Mitchell*, *William Mitton*, *George Molineux Esquire*, *John Molineux*, *Edward Monckton the Younger*, Esquire, *David Moody*, *Robert Morrison Doctor of Physic*, *John Norton*, *Edward Offley*, *William Orgill*, *George Owen*, *Thomas Paulton*, *Francis Peace*, *William Peace*, *Joseph Pearson*, *George Perks*, *James Perry*, *Thomas Perry*, *James Perry the Younger*, *John Perry*, *William Perry*, *William Bradney Pershouse Esquire*, *Thomas Phillips*, *Richard Phillips*, *John Plant*, *Francis Pool*, *Richard Savage Pountney*, *John Pountney*, *Benjamin Pountney*, *John Pountney of Wednesfield*, *George Pountney*, *William Tomkys Price*, *Thomas Railston*, *William Ready*, *John Richards*, *Thomas Roe*, *Henry Rogers*, *Henry Roliston*, *Obadiab Ryton*, *William Ryton*, *William Savage*, *Thomas Savage*, *Isaac Scott*, *George Scott*, *John Simkiss*, *John Simmonds*, *Thomas Simpson*, *Francis Smallwood*, *Joseph Smart*, *Henry Smith*, *Richard Smith*, *Joseph Smith*, *William Sparrow*, *Benjamin Stanley*, *John Stanley*, *John Stokes Grocer*, *John Stokes Ironmonger*, *Samuel Stewart*, *Samuel Stubbs*,
Joseph

Joseph Tarratt, William Thacker, Samuel Thomas, John Thomas, Reverend Richard Thursfield, William Tildesley, Thomas Timmins, Reverend William Tindall, John Tomlinson, John Tooth, Thomas Vaughton, Obadiab Walford, John Walford, the Reverend Thomas Walker, Randle Walker, Randle Walker Junior, John Walker, Thomas Ward, Edward Ward, William Warner, John Weaver, William Wenman, Thomas Henry Francis Whitgreave Esquire, John Winkle, Henry Wood, Thomas Wood, Samuel Wood, John Warralow, William Worthington, Thomas Wright, Joseph Wright, Japanner, and Humphrey Wright, shall be and they are hereby appointed Commissioners for the Recovery of Small Debts within the said Townships of *Wolverhampton* and *Wednesfield*, and the several Parishes of *Brewood, Pattingham, Bushbury* and *Penn*, in the County of *Stafford*; and the said Commissioners and their Successors are hereby constituted a Court of Justice, by the Name and Style of “The Court of Request for the Townships of *Wolverhampton* and *Wednesfield* and the several Parishes of *Brewood, Pattingham, Bushbury* and *Penn*, in the County of *Stafford*,” and the said Commissioners are hereby empowered and required to meet and to hold the said Court at the Public Office in the Town of *Wolverhampton* in the said County of *Stafford*, on the Fourth Friday next after the passing of this Act, which said Meeting shall and may be adjourned to and until that Day Month; and Meetings of the said Commissioners for the Purposes of this Act shall be and are hereby directed to be held at *Wolverhampton* aforesaid, except occasional Adjournments as hereinafter mentioned, at some convenient Place to be appointed for that Purpose by the said Commissioners, or the major Part of those assembled at their First Meeting, or any subsequent Meeting, on every Friday Month throughout the Year, and every Year; but when Christmas Day, and Fast and Thanksgiving Days by Proclamation shall happen on the Court Day, the Court shall be holden on the preceding Day.

II. And be it further enacted, That the several Justices of the Peace residing in and acting for the said County of *Stafford* for the Time being, together with *Joseph Adams, Samuel Addison, John Addison, William Danks Alexander, Henry Ash, James Henry Attwood, Thomas Bailey, Stephen Bassford, John Beaumont, Isaac Beckett, Reverend John Best, Edward Best, Norris Best, Norris Best Junior, Benjamin Bickley, William Smith Bickley, Richard Bills the Younger, John Partridge Blackmore, David Bolton, Joseph Brevitt, Samuel Bridgewater, William Bridgewater, Thomas Brookes, John Brown, Thomas Brown, William Brueton, John Cardale, Richard Clemson, Simeon Constable, Robert Cooper, Richard Cooper, Timothy Cooper, Thomas Cooper, Richard Corbett, Henry Crockett Esquire, John Crowther, Isaiah Danks, John Davis, William Dean, John Duce, Silvanus Earp, Clement Faulkner, John Fellows, Samuel Fereday, James Fisher, Thomas Fletcher, John Foster, George Foster, William Fox, Charles Gallimore the Younger, James Gilbert, William Glaze, George Green, William Greenway the Younger, John Guest, Richard Hadley, Samuel Hallen, Joseph Hanson, John Harper, Isaac Hartill, John Hartill, Robert Hartshorn, Jonathan Hartshorn, Joseph Hately, Thomas Hawe, William Hayes, Joseph Hill, Joseph Hill the Younger, Benjamin Hill, Thomas Hinks, Samuel Hinks, Stephen Hipkins, Hyla Holden, Dutton Holland, Joseph Howell, Elwell Jackson, Samuel Jackson, George Elwell Jackson, Robert Jackson, Thomas Jenks, Job Jones, the Reverend Gough*

Commissioners for the Bilton, Willenhall, Wednesbury, and Darlaston Jurisdiction.

Gough Willis Kempson, William Kendrick, George Kidson, John Law, John Lee, William Lees, George Lees, Thomas Lees, Joseph Lees, Thomas Loxdale, John Mason, Isaac Mason, Richard Mills, Richard Morgan, John Morris, Thomas Negus, the Reverend Charles Neve, Benjamin Nicholls, Thomas Page, Joseph Page, Seth Page, George Parker, Zachariah Parkes, John Parkes, Joseph Pearson, Joseph Pedley, William Pedley, John Sparry Pendlebury, Benjamin Penn, Joseph Percival, John Perkin, John Perry, Isaac Perry, Joseph Perry, Edward Perry, Thomas Perry, Charles Phillips, John Poolton, William Preston, John Rawlinson Pretty, Joseph Price, James Price, Thomas Price, Richard Price, Henry Price, William Price, Samuel Proud, Charles Quinton, Richard Rabone, John Read, Joseph Read, George Roberts, William Rock, John Rock, John Rogers, James Robinson, Thomas Robinson, George Rushbury, George Rushbury the Younger, Thomas Russell, John Russell, William Rylands, William Salter, William Shedden, Simon Silvester, Brian Silvester, William Smith, Daniel Smith, Samuel Smith, James Smith, George Smith, Samuel Smith the Younger, Joseph Smith, William Stokes, William Stokes Junior, Benjamin Stokes, John Stone, John Sparrow, Edward Taylor, Thomas Taylor, Thomas Taylor Ironfounder, Samuel Taylor, William Taylor, Isaac Thompson, Thomas Thompson, Henry Tibbatts, Thomas Tibbatts, Thomas Tomkinson, John Tomkys, Jacob Twigg, Thomas Walker, William Walter, Richard Walton, George Watkins, John Westwood, John White, John Whitehouse, Job Wilkes, John Wilkinson, Benjamin Willetts, Wednesbury, Benjamin Willetts, Bilston, Edward Woolley, William Wright, Edward Wright, John Wynn, William Yates, Junior, Richard Yates, and John Yeomans, shall be and they are hereby appointed Commissioners for the Recovery of Small Debts within the said Townships of *Bilston* and *Willenball*, and Parishes of *Wednesbury* and *Darlaston*, in the County of *Stafford*; and the said Commissioners and their Successors are hereby constituted a Court of Justice, by the Name and Style of "The Court of Request for the Townships of *Bilston* and *Willenball*, and the Parishes of *Wednesbury* and *Darlaston*, in the County of *Stafford*," except the Manor of *Bradley*; and the said Commissioners lastly abovenamed, are hereby empowered and required to meet and to hold the said Court in the several Townships of *Bilston* and *Willenball*, and Parishes of *Wednesbury* and *Darlaston*, in the said County, alternately and in Succession and Rotation, on every First Monday in each and every Calendar Month throughout the Year, and every Year or oftener, if in the Opinion of the said Commissioners there shall be Occasion (*Christmas Day*, and *Fast* and *Thanksgiving Days* by Proclamation, excepted, and then on the Day next following) in a Court House or some other convenient Place within every of the said last-mentioned Townships and Parishes respectively to be appointed by the major Part of the Commissioners from Time to Time assembled at such Meetings; and the First Meeting of the said last-mentioned Commissioners shall be held at *Bilston* on the first Monday in the second Month next after the passing of this Act.

Defendants
and Witnesses
residing in
one Jurisdic-
tion, not to
be summoned

III. And be it further enacted, That nothing herein contained shall extend or be construed to extend so as to require or compel the Attendance of any Defendant or Defendants, Witness or Witnesses, in the said Court so to be holden in the said Township of *Wolverhampton*, or in any other Place by Adjournment, as hereinafter is men-

tioned,

tioned, in pursuance of any Order or Summons issued out of the said Court, or by any Person or Persons whomsoever acting as an Officer or Officers of the said Court, in any Cause, Suit, or Action which shall or may be brought or commenced against any Person or Persons who shall reside, inhabit, or dwell in the said several Townships of *Bilston* and *Willenball*, and Parishes of *Wednesbury* and *Darlaston*, or any of them; and nothing in this Act contained shall extend or be construed to extend so as to require or compel the Attendance of any Defendant or Defendants, Witness or Witnesses, in the said Court so to be holden in the said several Townships of *Bilston* and *Willenball*, and Parishes of *Wednesbury* and *Darlaston*, in pursuance of any Order or Summons issued out of the said last-mentioned Court, or by any Person or Persons whomsoever acting as an Officer or Officers of the said Court, in any Cause, Suit, or Action which shall or may be brought or commenced against any Person or Persons who shall reside, inhabit, or dwell in the said Townships of *Wolverhampton* and *Wednesfield*, and in the said several Parishes of *Brewood*, *Pattingham*, *Busbury*, and *Penn*, or any of them.

to the Court
of the other
Jurisdiction.

IV. Provided always, and be it further enacted, That it shall and may be lawful to and for any Person or Persons who shall inhabit or dwell in the said Townships of *Wolverhampton* and *Wednesfield*, and in the said Parishes of *Brewood*, *Pattingham*, *Busbury*, and *Penn*, or in any or either of them, to commence, sue, and prosecute any Action or Suit, Actions or Suits, against any Person or Persons who shall inhabit or dwell in the said Townships of *Bilston* and *Willenball*, and in the said Parishes of *Wednesbury* and *Darlaston*, except the Manor of *Bradley*, or in any or either of them, so as the Order or Summons, Orders or Summonses, against such Person or Persons do issue, and all subsequent Proceedings under the same be had, prosecuted, and carried on, and Execution issue in the said Court or Courts so to be held within and for the said Townships of *Bilston* and *Willenball*, and the several Parishes of *Wednesbury* and *Darlaston*; and that it shall and may be lawful to and for any Person or Persons who shall inhabit or dwell in the said Townships of *Bilston* and *Willenball*, and in the said Parishes of *Wednesbury* and *Darlaston*, or in any or either of them, to commence, sue, and prosecute any Action or Suit, Actions or Suits, against any Person or Persons who shall inhabit or dwell in the said Townships of *Wolverhampton* and *Wednesfield*, and in the said Parishes of *Brewood*, *Pattingham*, *Busbury*, and *Penn*, or in any or either of them, so as the Order or Summons, Orders or Summonses, against such Person or Persons do issue, and all subsequent Proceedings under the same be had, prosecuted, and carried on, and Execution issue in the said Court to be held in the said Township of *Wolverhampton*, or at any other Place by Adjournment, as hereinafter is mentioned.

Power for
Plaintiffs
residing in
one Juris-
diction, to
sue Defend-
ants residing
in the other
Jurisdiction.

V. And be it further enacted, That the Commissioners of the said Courts respectively, or the major Part of them present at their respective Meetings to be holden pursuant to this Act, are hereby authorized, empowered, and required to elect a Chairman for each Meeting, and the said Commissioners, or the major Part of them present at their respective Meetings, not being less than Five (except as hereinafter mentioned)

Commission-
ers Powers.

mentioned) are hereby authorized and empowered to hear and determine all such Actions and Causes as are hereinafter mentioned, and to give such Judgments, and make such Orders and Decrees therein, and to award Execution thereupon, with the Costs, against the Body or Bodies, or against the Goods of all and every the Person and Persons against whom they shall give any Judgment, or make any Order or Decree, as to them shall seem just in Law or Equity, and to do, perform, and execute all other Acts, Matters, and Things hereby authorized or directed to be done, as fully and effectually, and the same shall have the same Force and Effect as if given, made, done, performed, and executed by all the said Commissioners, except as herein otherwise is particularly directed and provided; and in case of an Equality of Votes on any Action, Cause, or Question before the said Commissioners respectively, the Chairman, so to be elected as aforesaid; or if it shall happen that no Chairman shall have been previously elected at that Meeting, then the senior Justice of the Peace acting for the said County, then actually present, and acting as a Commissioner by virtue of this Act; or if no such Justice shall be present, and acting as a Commissioner as aforesaid, then the Commissioner present who stands first on the Lists of Names of the said Commissioners respectively, shall have the decisive or casting Vote; and the said Commissioners shall and are hereby required to fix up, or cause to be fixed up, such List in the Courts or Places where the Commissioners meet.

Three Commissioners for Forty Shillings, and Five Commissioners for Sums above Forty Shillings.

VI. Provided always, and be it further enacted, That on the Decision of each and every Action, Cause, or Question, for the Recovery of any Sum not exceeding Forty Shillings, Three at least of the said Commissioners shall be present in Court; and on the Decision of every Action, Cause or Question for the Recovery of any Sum exceeding Forty Shillings, Five at least of the said Commissioners shall be present in Court, the same Three Commissioners in the former Case, and the same Five Commissioners in the latter Case, to be attending from the Commencement of the Hearing of any Cause, Question, or Action, to the Decision thereof.

Qualification of Commissioners.

VII. Provided always, and be it further enacted, That no Person shall be qualified to act as a Commissioner in the Execution of this Act, unless he shall at the Time of acting be a Householder, and possessed of a Real Estate of the clear annual Value of Fifty Pounds, or of a Personal Estate of the Value of One thousand and five hundred Pounds, or of a Real Estate of the clear annual Value of Twenty-five Pounds, together with a Personal Estate of the Value of One thousand Pounds, above all Charges and Incumbrances whatsoever; and if any Person, not being so qualified, shall presume to act as a Commissioner, every such Person shall for every such Offence (over and above any Punishment 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 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 Effoign, Protection, Wager of Law, or more than one Imparlance shall be allowed; and in every such Action, Bill, Complaint, or

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

VIII. And be it further enacted, That no Person shall be capable of acting as a Commissioner in the Execution of this Act (save and except in administering the Oath or Affirmation herein mentioned to the other Commissioners) until he shall have taken and subscribed an Oath or Affirmation in the following or Words to the same Effect; (that is to say),

I *A. B.* do swear [*or, being one of the Persons called Quakers, Oath.*
do solemnly affirm] That I will faithfully, honestly, and impartially, according to the best of my Skill and Judgment, hear and determine all such Matters and Things as shall be brought before me, by virtue of an Act passed in the Forty-eighth Year of His Majesty King GEORGE the Third, intituled [*here 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, and possessed of a Real Estate of the clear annual Value of Fifty Pounds, or of a Personal Estate of the Value of One thousand and five hundred Pounds, or of a Real Estate of the clear annual Value of Twenty-five Pounds, together with a Personal Estate of the Value of One thousand Pounds, above all Charges and Incumbrances whatsoever.

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 open Court; and each and every such Commissioner shall and he is hereby required (immediately after taking the said Oath or Affirmation) to sign and subscribe his Name upon a Roll or Rolls of Parchment, or in a Book or Books to be provided for the said Jurisdictions respectively for that Purpose, with the said Oath or Affirmation written or printed thereon or therein; and such Roll or Rolls, or Book or Books, shall be carefully kept among the Records of the said respective Courts.

IX. And be it further enacted, That when any of the said Commissioners hereinbefore named shall happen to die, or shall refuse or neglect to qualify himself for acting as a Commissioner in the Execution of this Act, by taking and subscribing the Oath hereinbefore mentioned, within Two Years from the passing of this Act; or if any Person hereafter to be elected and chosen a Commissioner, shall refuse or neglect to qualify himself for acting in the Execution of this Act as aforesaid,

Appointment
of new Commissioners.

aforesaid, within Two Years next after he shall have been so elected and chosen, or shall accept the Office of Clerk, or otherwise become disqualified to act in the Execution of this Act, it shall and may be lawful to and for the surviving and remaining Commissioners in each Jurisdiction respectively, acting in the Execution of this Act, or the major Part of them present at a Meeting to be holden for that Purpose, so soon after such Decease, Refusal, or Disqualification shall happen or be known, as conveniently may be, to elect and appoint One other Commissioner in the room or stead of every such Commissioner so dying or refusing to act, or ceasing to be so qualified as aforesaid; and Notice in Writing of the Time and Place of Meeting for every such Election, and of the Purpose thereof, shall be affixed by the Clerk or Clerks for the Time being to the Commissioners of the said respective Courts, on the Doors of the respective Places of holding the said Courts, Ten Days at least before such Meeting shall be holden; and every Commissioner so elected 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, as fully and effectually to all Intents and Purposes whatsoever, as if he had been particularly named herein as a Commissioner.

Power for Commissioners of first-name Jurisdiction, to adjourn the Court to other Places within the same Jurisdiction.

X. And be it further enacted, That if it shall appear to the said Commissioners in Court assembled, and acting in and for the Jurisdiction in this Act first mentioned, that an occasional Adjournment to some other Part of the District within the same Jurisdiction, may have a Tendency to facilitate or expedite the Busings of the said first mentioned Court, it shall and may be lawful to and for the said Commissioners assembled at any Court where Seven at least shall be present, or the major Part of them, and acting in and for the said first mentioned Jurisdiction, to adjourn such Court to any other Place or Places within the said first mentioned Jurisdiction, as often or as many Times as to them may seem fit, but such Adjourned Court shall not be held in any one Township or Parish from or out of *Wolverhampton* aforesaid, and within the said first mentioned Jurisdiction, oftener than Four Times or Days in Twelve Calendar Months.

Time of hearing Causes.

XI. And, for the better regulating the Sittings of the said respective Courts, be it further enacted, That the Commissioners shall not hold the said Courts, or hear or determine any Case or Cause, but between the Hours of Nine of the Clock in the Forenoon, and Six of the Clock in the Afternoon; and nothing in this Act contained shall extend or be construed to extend to require the Attendance of any Plaintiff or Defendant, or Witness, in the said respective Courts, except between the said Hours of Nine of the Clock in the Forenoon, and Six of the Clock in the Afternoon.

Appointment of Officers.

XII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of each Jurisdiction respectively, and they are hereby required at their said First Meetings, to nominate and appoint fit and proper Persons for Clerks, Serjeants, and other necessary Officers of and in the said respective Courts of Request; and that it shall and may be lawful to and for the said respective Clerks immediately after their Appointments, and from Time to Time, to nominate

nate and appoint a Deputy and Deputies to act in his and their rooms or stead, which Deputy and Deputies, in the Absence of the said respective Clerks, shall have the same Authority as if the respective Clerks themselves were personally present, and shall from Time to Time be displaceable and removable, and shall accordingly be displaced and removed at the Will and Pleasure of the said respective Clerks of the said respective Courts of Request for the Time being, and for which Deputy or Deputies such Principal or Principals so appointing a Deputy or Deputies shall be answerable; and such Clerk or Clerks, or his or their Deputy or Deputies, is and are hereby empowered and required to issue all Summonses, Subpœnas, Warrants, and Precepts, and to register all Orders, Decrees, and Judgments of the said Courts respectively, and to do all such Acts, Matters, and Things as are directed or required to be done by the said Clerks by virtue of this Act.

XIII. And be it further enacted, That in case of Neglect or Refusal of the said respective Commissioners, a sufficient Number of the said respective Commissioners shall not be present to act in the Execution of this Act as is herein directed on any of the Days appointed for holding of the said respective Courts, then and in every such Case it shall and may be lawful to and for any of the said respective Commissioners who shall be present, and if no Commissioner shall be present, it shall and may be lawful to and for the said respective Clerks or their respective Deputies for the Time being, to adjourn the said respective Courts to the next Court Day, or some earlier Day.

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

XIV. And be it further enacted, That the said respective 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 respective 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 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 respective Courts, in all Courts whatsoever.

Commissioners to enter their Proceedings in a Book.

XV. And be it further enacted, That every Clerk and Clerks, Serjeant and Serjeants and other Officer and Officers, shall immediately on his or their Appointment or Appointments to such respective Offices, give such Security to the said respective Commissioners, or to any Five of them respectively, as the said respective Commissioners, at the Time of such respective Appointments, shall direct, duly to pay and account for all such Sum or Sums of Money and other Things as shall from Time to Time come to their respective Hands or Possession, and for the due and proper Execution of the said respective Offices.

Clerks to give Security.

XVI. And be it further enacted, That in case of the Death, Resignation, or Removal of any Clerk, Serjeant, or other Officer, nominated or appointed by virtue of this Act, such Clerk, Serjeant, or other

Officers resigning or being removed, or their personal

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Officer

Representatives, (in case of Death) to deliver up Books, &c.

Officer so resigning or being removed, and the personal Representative or personal Representatives of such Clerk, Serjeant, or other Officer so dying, shall, on having Fourteen Days Notice in Writing, under the Hands of Nine of the said respective Commissioners, given to him or them, or left at his or their last or usual Place or Places of Abode for that Purpose, produce and deliver up to the said respective Commissioners at the Court to be holden next after the Expiration of the said Fourteen Days, all Books, Rolls, Accounts, Papers, Writings, Monies, and other Things in his or their Custody or Power, relating or belonging to their said respective Offices; and in case such Clerk, Serjeant, or other Officer so resigning or being removed, or the personal Representative or personal Representatives of such Clerk, Serjeant, or other Officer so dying, shall neglect or refuse so to produce and deliver up all such Books, Rolls, Accounts, Papers, Writings, Monies, and other Things, upon due Proof of the Service of such Notice, it shall and may be lawful to and for the said respective Commissioners assembled at the next, or any subsequent Court, to impose or lay a Fine not exceeding Twenty Pounds, on every Person so offending.

Appointment of new Officers in case of Death, Resignation, or Removal;

XVII. And be it further enacted, That it shall and may be lawful for the major Part of the Commissioners respectively, who shall be sitting and acting in Court on the next Court Day after the Death, Resignation, [or Removal of any Clerk, Serjeant, or other Officer nominated or appointed by virtue of this Act, or so soon after as the same shall be known, to cause such of the acting Commissioners as reside within the Jurisdiction of the said respective Courts, or within one Mile thereof, to be summoned to meet at some convenient Place to be appointed for that Purpose, within Twenty-one Days next after their being summoned; and such respective Commissioners at such Meeting (not being less than Nine) or the major Part of them present, are hereby authorized and required to elect another Person or Persons in the room or stead of every such Clerk, Serjeant, or other Officer so dying, resigning, or being removed, and so from Time to Time when and so often as any Clerk, Serjeant, or other Officer shall die, resign, or be removed from their respective Offices; and all and every Clerk and Clerks, Serjeant and Serjeants, and other Officers of the said respective Courts, shall do and perform in their respective Offices as they shall be directed or appointed by the said Commissioners respectively, and the Serjeants of the said Courts shall serve all Summonses, and execute such Orders, Warrants, and Precepts, and do and perform all such other Acts, Matters, and Things as may be required to be done by them respectively by virtue of this Act; and it shall and may be lawful to and for the said Commissioners respectively, not being less than Nine, or the major Part of them assembled for that Purpose, from Time to Time to remove all such Clerks, Serjeants, and other Officers, or any of them, for Misbehaviour in their respective Offices or other sufficient Cause.

and Officers may be removed for Misconduct.

Commissioner not to act where interested.

XVIII. And be it further enacted, That if any Commissioner of the said respective Courts for the Time being, shall be Party to or interested in any Cause depending in the said Courts respectively, or shall be Father, Son, or Brother of any Person or Persons concerned or interested

interested in any Cause, Action, or Matter, such Person shall not be capable of acting as a Commissioner in the hearing and determining of such Cause, Action, or Matter, or making any Order, Decree, or Judgment therein, but after being heard in the said Court shall withdraw until the same shall be finally determined; and if any Clerk, Serjeant, or other Officer of the said respective Courts for the Time being, shall be Party to or interested in any Cause, Action, or Matter depending in the said respective Courts, such Clerk, Serjeant, or other Officer shall not exercise his or their Office in such Cause, Action, or Matter, or in any thing relating thereto; but such Person or Persons as shall be nominated and appointed by the said Commissioners respectively to exercise the said Office of Clerk, Serjeant, or other Officer respectively, in his or their place or stead, shall be and is hereby vested with full Power and Authority to execute the Office of Clerk, Serjeant, or other Officer, in all things relating to such Cause, Action, or Matter.

XIX. And be it further enacted, That from and after the First Meeting of the said Commissioners respectively, it shall and may be lawful to and for any Person or Persons (whether residing in the Jurisdiction of the said respective Courts or not) having any Debt or Debts on Rent or Arrears of Rent, or *Quantum Meruit*, *Quantum Valebat*, and in all Cases of Trover and Conversion, or of Treipsas or Detinue for Goods and Chattels taken or detained, or otherwise howsoever, (save and except as herein excepted) not exceeding the Value of Five Pounds, due, 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 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, or to any Club or Friendly Society, duly associated or constituted according to the Provisions of the several Statutes in that Case made and provided, or in any other Manner whatsoever which the said respective Commissioners are by this Act enabled to judge and determine, and not herein expressly prohibited, by or from any other Person or Persons whomsoever inhabiting, and residing, within the Limits of the said several Townships, Parishes, and Places, or either or any of them, or keeping and using any House, Warehouse, Wharf, Quay, Lodging, Shop, Shed, Stall or Stand, or generally using and frequenting the Markets there, or seeking a Livelihood within the same, to apply to the Clerk or Clerks of the said respective Courts, or the Deputy of any such Clerk, in the Manner in this Act directed, who shall immediately make out and deliver to the Serjeant or Serjeants of the said respective Courts for the Time being, a Summons in Writing under the Hand of such Clerk, directed to such Debtor or Debtors, expressing the Sum demanded of him, her, or them, and stating the cause of Action, together with the Name of the Party demanding the same, and requiring such Debtor or Debtors to appear at a certain Time and Place to be mentioned in such Summons, before the Commissioners of the said Courts respectively, to answer such Demands; and such Serjeants shall forthwith serve or cause such Summons to be served on such Debtor

Debtors to
be summoned
before Com-
missioners,

and Particu-
lars of De-
mand stated.

Three Days
before the
Meeting.

Commission-
ers may direct
Payments
either in one
Sum or by
Instalments,

and may
examine
Officers, Par-
ties, and Wit-
nesses on
Oath.

Penalty on
Witnesses not
attending if
summoned.

Debtor or Debtors, either personally or by leaving the same with his, her, or their Servant or other Person belonging to him, her, or them, or at the Dwelling, Warehouse, Wharf, Quay, Shop, Shed, Stall, Stand, or other Place of dealing of such Debtor or Debtors, being within the Jurisdiction of the said respective Courts, Three Days at least before the Time appointed for such Debtor or Debtors to appear before the said Court; and upon due Proof made of such Summons having been duly served in Manner aforesaid, the said Commissioners respectively in Court assembled are hereby empowered and required to make due Enquiry concerning such Demands or Plaints, and make such Order or Orders therein, and pass such Sentence or Judgment thereupon, and award such reasonable Costs of Suit as to them shall seem right and proper, consistent with the Rules and Regulations in this Act contained; and they are hereby also empowered to order and direct the Payment of any such Debts to be made either in one Sum or by Instalments at stated Periods, under such Conditions and with such Security for the Payment of the same as they shall see Cause and deem just and reasonable, all which Orders, Judgments, and Proceedings shall be entered or registered in a Book or Books to be kept for that Purpose by the Clerk or Clerks of the said Courts respectively, and as well the Plaintiff or Plaintiffs as the Debtor or Defendant, Debtors or Defendants, whom any such Order, Judgment, or Proceeding shall respectively concern, shall observe, perform, and keep the same respectively in all Points; and it shall and may be lawful to and for the Commissioners present in the said respective Courts to administer an Oath or Oaths, Affirmation or Affirmations, to any Officer of the said Court, or to either of the said Parties, as the said respective Commissioners shall think proper, and to examine touching any Matter in question, and also to examine such Witness or Witnesses, Person or Persons, whose Evidence shall seem necessary in the hearing or determining, or the making of any Order or Decree in the Premises, or for any other Purpose requisite in the Execution of this Act.

XX. And be it further enacted, That it shall and may be lawful from Time to Time and at all Times, to and for any Plaintiff or Plaintiffs, Defendant or Defendants, in any Suit or Cause hereafter depending in the said respective Courts, to cause any Person or Persons residing within the Jurisdiction of the said respective Courts, to be warned or summoned to such respective Courts, either by serving a Subpœna or Subpœnas, Summons or Summonses, to be issued by any Clerk or Deputy Clerk of such respective Courts, and to be served by a Serjeant of the same Courts personally, or by leaving such Subpœna or Subpœnas, Summons or Summonses at the last or usual Place or Places of Abode of such Person or Persons, to appear as a Witness or Witnesses to give Evidence in the said respective Courts out of which such Subpœna or Subpœnas, Summons or Summonses shall issue, in or concerning the Suit or Cause there depending; and in case any Person or Persons after having been so subpœnaed or summoned to give Evidence as aforesaid, and paid or tendered his, her, or their reasonable Expences to attend and give his, her, or their Evidence at the Time and Place in such Subpœna or Subpœnas, Summons or Summonses mentioned, on
Behalf

Behalf of any such Plaintiff or Defendant, shall neglect or refuse to appear pursuant to such Subpœna or Subpœnas, Summons or Summonses, due Proof being made of the Service thereof, and no sufficient Cause for his, her, or their Absence or Non-apperance being shewn to the Satisfaction of the Court where such Suit shall be depending, and Oath being made before the Commissioners there sitting by the Party or Parties at whose Instance and on whose Behalf such Subpœna or Subpœnas, Summons or Summonses 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; or if any such Witness or Witnesses shall appear but shall refuse to be examined upon Oath, or in case of a Quaker or Quakers upon solemn Affirmation, and to give Evidence as aforesaid before such Commissioners, according to the true Intent and Meaning of this Act, then and in every such Case it shall and may be lawful to and for the said respective Commissioners to impose any Fine, not exceeding Ten Pounds, on every Person so offending; and in case such Fine shall not be paid forthwith, the same 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 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 every 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 Subpœna or Subpœnas, Summons or Summonses, 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 or Offenders to the common Gaol or Prison in the Town of *Wolverhampton* in and for the said County of *Stafford*, there to remain for any Time not exceeding the Space of Two Calendar Months.

XXI. And be it further enacted, That in case any Person or Persons making Oath or giving Evidence in any Cause or Matter whatever depending in the said respective Courts of Request, or before any Justice or Justices in executing this Act shall wilfully and corruptly give false Evidence, or swear any Matter or Thing which shall be false or untrue, every such Person so offending, and being thereof duly convicted according to Law, shall and is hereby declared to be subject and liable to the like Pains and Penalties as Persons convicted of wilful and corrupt Perjury are liable or subject to by the Laws and Statutes of this Realm. Penalty for Perjury.

XXII. And be it further enacted, That where any Debt or Damages shall be due or owing by 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 personally on any one of such Partners or Persons, and Notice thereof left at the usual or last Place or Places of Abode, Warehouse, 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 Service on one Partner, to be deemed good Service.

[Loc. & Per.] 24 L and

and sufficient as if each of such Partners or Persons were separately summoned as aforesaid.

Debts due to
Persons un-
der Age,
may be re-
covered.

XXIII. And be it further enacted, That in every Case where any Sum or Sums of Money whatsoever, (except for Wages) 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 whomsoever, 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 respective Courts, in the same manner as if he or she were of full Age; and the Commissioners present in the said Courts respectively, are hereby required to take Cognizance of and proceed in all Causes concerning such Debts, in the same Manner, and shall have the same Powers in regard thereto as if the Plaintiff or Plaintiffs were of full Age.

Commission-
ers on Non-
appearance
of Defendant
may proceed
ex parte.

XXIV. And be it further enacted, That if any Debtor or Debtors who shall have been duly summoned as aforesaid, shall without good Cause (to be allowed by the Commissioners of the said respective Courts) refuse or neglect to appear, either himself or herself, or by some other Person on his, her, or their Behalf, in the said respective Courts at the Time mentioned in such Summons, then it shall and may be lawful to and for the said Commissioners respectively, upon Proof made upon Oath of the Service of such Summons in Manner hereinbefore directed, to proceed to hear the Cause on the Part of the Plaintiff or Plaintiffs only, and to make such Order, Decree, or Judgment therein, and to award such Costs as to them shall seem meet.

If Plaintiff
does not ap-
pear to prove
his Demand,
Defendants
shall have
Costs, &c.

XXV. And be it further enacted, That if upon the Day of the Return of any Summons issued on Behalf of any Plaintiff or Plaintiffs, or at any Continuation or Adjournment of the said respective Courts of Request, the Plaintiff or Plaintiffs shall not appear either in Person or by some other Person on his, her, or their Behalf, or appearing shall not make Proof of his, her, or their Debt or Demand, to the Satisfaction of the said Courts respectively, it shall and may be lawful to and for the said respective Commissioners present in Court, and they are hereby required to award to the Defendant or Defendants reasonable Costs, and also such Satisfaction for his, her, or their Trouble or Attendance, as to the said respective Commissioners shall seem right and proper, and to order and compel the Plaintiff or Plaintiffs to pay the same, by such Ways and Means as are herein provided for the enforcing of the Payment of Debts and Costs ordered and decreed to be paid by the said respective Courts.

Commission-
ers may
award Execu-
tion against
the Body or
Goods;

XXVI. And be it further enacted, That in any Case when the said respective Commissioners shall have made an Order or Decree for the Payment of Money, it shall and may be lawful to and for the said respective Commissioners to award Execution either against the Body or Goods of the Party or Parties against whom such Order or Decree shall be made, and thereupon it shall and may be lawful to and for the Clerk or Clerks of the said Courts of Request respectively, at the Desire of the

the Party or Parties prosecuting such Order or Decree, to issue a Precept under his Hand and Seal by way of *Capias ad Satisfaciendum* or *Fieri Facias*, to the Serjeant or Serjeants of the said respective Courts, who, by virtue of such Precept issued upon the Execution awarded against the Body or Bodies of such Party or Parties, shall and may and is and are hereby empowered and required to take and apprehend such Party or Parties (being within the Jurisdiction of the said respective Courts,) and to convey him, her, or them to the Common Gaol or Prison in the said Town of *Wolverhampton*, there to remain until he, she, or they shall perform and obey such Order or Judgment, for the Space of Time therein in that Behalf particularly directed; and in case any such Precept shall be issued upon Execution awarded against the Goods and Chattels of any such Party, shall and may, and he and they is and are hereby empowered to levy by Distress and Sale of the Goods and Chattels of such Party (being within the Jurisdiction of the said respective Courts) such Sum and Sums of Money and Costs, as shall be so ordered and decreed; and if the Party against whose Body or Goods such Execution shall be awarded, and such Process shall issue thereupon, 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 such Execution, it shall and may be lawful to and for the said Commissioners respectively, upon due Proof thereof made by the Oath of the Serjeant, or 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 or Parties, and Process shall issue thereupon, and be executed by the Serjeant or Serjeants in Manner aforesaid, until the Party or Parties at whose Suit such Execution shall be issued shall be fully paid and satisfied: Provided always, that it shall not be lawful for the said respective Commissioners to issue any Process against the Body of any Person, in any Case where the Party intitled 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.

and commit the Party.

In case Parties abscond or secrete their Goods, further Execution may be granted.

Process not to issue against Person and Goods.

XXVII. And be it further enacted, That the said respective Commissioners shall be and they are hereby required and empowered, in their Order of Commitment of any Person or Persons to the Common Gaol or Prison in the said Town of *Wolverhampton*, for the Non-payment of any Debt or Debts, to order and direct such daily Sum or Sums to be paid weekly or otherwise by the Plaintiff or Plaintiffs to the Defendant or Defendants so committed, for his, her, or their Maintenance while in Prison, as they the said Commissioners in their Discretion shall think proper, so as such Daily Allowance shall not be less than Four-pence nor more than Six-pence to each Person; and in default of Payment of the Sum or Sums so ordered to be paid for the Space of Three Days, the Keeper or Keepers of the same Gaol or Prison is and are hereby directed to discharge such Person or Persons from his or their Custody, in such and the same Manner as if the Debt and Costs for which such Person or Persons was or were committed had been fully paid and satisfied: Provided nevertheless, that it shall and may be lawful to and for the Plaintiff, or Plaintiffs to pay to the Gaoler or Gaolers the Sum so ordered by the Commissioners for the whole Number of Days expressed in the Order of Commitment,

Allowance to be made to Prisoners.

at

at the Time of the Defendant or Defendants being delivered into the Custody of the Gaoler or Gaolers, and such Gaoler or Gaolers is and are hereby directed to pay thereout the Daily Allowance so ordered every Day to such Defendant or Defendants, during his, her, or their Confinement; and in case such Defendant or Defendants shall be legally discharged from such Confinement before the Expiration of the Time of Commitment, that then and in such Case the said Gaoler or Gaolers shall upon such Discharge forthwith repay to the Plaintiff or Plaintiffs the proportionate Residue of such Sum, according to the Number of Days which shall be unexpired of the Time for which such Defendant or Defendants was or were originally committed.

Plaintiff not
to recover
other than
Debts specified.

XXVIII. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff or Plaintiffs 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 any the Defendant or Defendants of any Demand he, she, or they may have on the Plaintiff or Plaintiffs in the Nature of a Set-off, or to lessen or discharge himself, herself, or themselves, from such Demand or Cause of Action, unless Notice thereof in Writing shall have been given to the Plaintiff or Plaintiffs, by personal Service or by leaving it at his, her, or their Dwelling House, Warehouse, Wharf, Quay, 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.

Actions not
to be split;

XXIX. And be it further enacted, That if it shall appear to the said respective Commissioners that any Plaintiff shall have split or divided his or her Cause of Action, with the Intention of bringing the same within the Jurisdiction of the said respective Courts, then and in every such Case the said respective Commissioners shall and 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 might have done if no such Action or Suit in the said respective Courts of Request had been brought or commenced: Provided always, that in case any Plaintiff in such Cause or Action so split or divided, shall be willing to accept the Sum of Five Pounds, or such less Sum as shall be proved to the Satisfaction of the said respective Commissioners to be due and owing from the Defendant to the Plaintiff, in full of the whole of his or her Demand in such Cause, then and in every such Case the said respective Commissioners shall and may adjudge and decree the Payment of such Sum of Five Pounds, or any less Sum appearing to them to be so due and owing, and declare the same to be, and which shall be deemed and taken to be in full Discharge of all Demands from the Defendant to the Plaintiff in such Case or Cause so split or divided.

but the Court
may decide
in such Action
so split, if the
Plaintiff shall
be satisfied to
receive Five
Pounds or
less in full
of all Demands.

On Execution,
Clerk to
indorse Debt
and Costs.

XXX. And be it further enacted, That in every Precept to be issued upon any Execution awarded against the Body or Goods of any Person or Persons whomsoever, the Clerk upon issuing the same shall
set

set down in Writing the Sum or Sums of Money and Costs so ordered and decreed to be paid; and if the Party or Parties against whom such Execution shall have been awarded, shall before any actual Sale of his, her, or their Goods, or before he, she, or they is, are, or shall be taken and apprehended, or before the Expiration of the Term of his, her, or their Imprisonment, pay or cause to be paid, or tender to the Clerk or Clerks of the said respective Courts of Request such Sum or Sums of Money and Costs, together with One Shilling as a Reward for his Trouble in receiving and paying over such Debts and Costs to the Plaintiff or Plaintiffs, and entering Acknowledgement of Satisfaction in the Book or Register of the said respective Courts for such Debts and Costs, then and in every such Case the Execution shall be superceded, and by Order under the Hand of such Clerk or Clerks respectively directed to the Keeper of the Prison where such Persons shall be confined by virtue of such Execution, the Body or Bodies and Goods of such Party or Parties shall be discharged and set at Liberty.

XXXI. And be it further enacted, That no Person or Persons whomsoever, shall be committed to the said Gaol or Prison by Order of the said respective Courts, for any Debt or Debts, or kept or continued in Custody on any Pretence whatsoever (except in the Cases herein provided) for any longer Space or Spaces of Time from the Time of his, her, or their Commitment to Prison, than is or are herein limited; (that is to say) where the Debt or Damages (exclusive of Costs) does or do 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 or Damages (exclusive of Costs) is or are above Twenty Shillings, and does or do not exceed Forty Shillings, then not more than Forty Days; and where the Debt or Damages (exclusive of Costs) is or are above Forty Shillings, and does or do not exceed Three Pounds, then not more than Sixty Days; and where the Debt or Damages (exclusive of Costs) is or are above Three Pounds, and does or do not exceed Four Pounds, then not more than Eighty Days; and where the Debt or Damages (exclusive of Costs) is or are above Four Pounds, and does or do not exceed Five Pounds, then not more than One Hundred Days from the Time of his, her, or their Commitment; and the Keeper or Keepers of the said Gaol or Prison, is and are hereby directed and required to discharge such Persons accordingly.

Time of Imprisonment of Debtors limited.

XXXII. And, in order the more effectually to prevent Persons summoned for Debt or Damages to the said Courts respectively, from fraudulently concealing their Money, Goods, or Effects; Be it further enacted, That in case upon the Summons of any Person for any Debt or Debts or Damages, before the said respective Courts, Information of any such fraudulent Concealment shall be given, such respective Courts shall have Power to hear Evidence as to the Fact; and in case it shall be proved to their Satisfaction, upon the Oath or Affirmation of one or more credible Witness or Witnesses (which Oath or Affirmation the said respective Courts are hereby empowered to administer) then and in every such Case it shall and may be lawful to and for the said respective Courts to enlarge the aforesaid Time of Imprisonment

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

of such Debtor to any Period in Addition thereto, not exceeding Three Calendar Months.

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

XXXIII. 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 respective 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 respective Courts, shall be imprisoned during the Time limited 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 on the Second Execution shall commence, and after the limited Time is expired on the Second Execution, the Imprisonment on the Third Execution 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 and every separate Execution to be issued against him, her, or them in the said respective Courts, 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 thereof in anywise notwithstanding.

Record of Judgment may be removed into the superior Courts, and Writ of Execution issued thereon.

XXXIV. And as it may happen that Persons served with Process issuing out of the said respective Courts of Request may, in order to avoid Execution, remove their Persons and Effects beyond the Limits of the Jurisdiction of the said respective Courts; Be it therefore enacted, That in all Cases where a final Decree or Judgment for any Sum or Sums exceeding Ten Shillings shall have been obtained in the said respective Courts, and an Affidavit shall have been made and filed in one of His Majesty's Courts of Record at *Westminster*, 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 or Chattels, and of the Precept of Execution having issued against the Person or Persons or Effects (as the Case may be) of the Defendant or Defendants, and that the Person or Persons, Goods or Chattels of such Defendant or Defendants, is or are not to be found within the Jurisdiction of the said respective Courts of Request (which Affidavit may be made before a Judge or Commissioner authorized to take Affidavits), it shall and may be lawful to and 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 respective Courts of Request, 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.

XXXV. And

XXXV. And be it further enacted, That in case it shall, at any Time during the hearing of any Cause in the said respective Courts, appear by the Oath of any Person or Persons to the Satisfaction of the major Part of the said Commissioners present at the Court at which such Cause shall be heard, that the 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 ſaid reſpective Commissioners to ſuſpend or ſuperſede the Proceedings in ſuch Cauſe, until it ſhall, upon like Proof as aforeſaid, appear to the Court that ſuch Debtor or Debtors ſhall be able to pay ſuch Debt or Debts, and then to proceed again in Manner aforeſaid; any Thing herein contained to the contrary notwithstanding.

Commissioners to ſuſpend Proceedings where Debtors are ill or unable to pay the Debt.

XXXVI. Provided always, and be it further enacted, That this Act or any Thing herein contained ſhall not extend to any Sum or Sums of Money, Debts or Demands whatſoever, for or on Account of any Ale, Beer, or Spirituous Liquors, unleſs ſuch Debt for Ale, Beer, or Spirituous Liquors ſhall have really and *bonâ fide* been contracted at one Time to the Amount of Twenty Shillings or upwards, or to any Debt where the Right or Title to any Lands, Tenements, or Hereditaments, or Real Eſtate whatſoever, or to any Debt where the Title of the Freehold or Leaſe for Years of any Lands, Tenements, Hereditaments, or Chattels real whatſoever, ſhall be brought or come into queſtion, or to any Debt for any Sum being the Balance of an Account or Demand originally exceeding Five Pounds, or to any Debt that ſhall ariſe by reaſon of the Occupation of Lands, Tenements, or Hereditaments ſituate elſewhere than within the Limits and Jurifdictions of the ſaid reſpective Courts, 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 Tythes, or to any Debt or Sum of Money or Thing won at or by Means of any Horſe Race, Cock Match, Wager, or any kind of Gaming or Play, or for any Forfeiture upon any Penal Statute or Bye-Law whatſoever, or to any Contract or Complaint, Difference or Diſpute that may ariſe between Maſter and Servant, or Maſter and Apprentice: Provided alſo, that nothing herein contained ſhall extend or be conſtrued to extend to prevent or reſtrain any Perſon from diſtraining for any Rent or Arrears of Rent, although the ſame ſhall not exceed the Sum of Five Pounds.

The Act not to extend to certain Debts.

XXXVII. And be it further enacted, That if any Serjeant, or the Deputy of any Serjeant, or any other Officer or Officers of the ſaid reſpective Courts of Requeſt, or his Deputy, who ſhall be employed to ſerve or levy any Execution, ſhall, by wilful Connivance or Neglect, cauſe or ſuffer the Party againſt whom ſuch Execution ſhall have been awarded to eſcape or abſcond, or the Goods of ſuch Party or Parties to be carried away or ſecreted, ſo as ſuch Execution ſhall not have its full Force and Effect, it ſhall and may be lawful to and for the ſaid reſpective Commissioners, upon Complaint and due Proof made thereof upon the Oath or Oaths, Affirmation or Affirmations, of one or more credible Witneſs or Witneſſes, to order ſuch Serjeant, or Deputy

Serjeants ſuffering an Eſcape, or Goods to be removed, to pay Debt and Coſts.

puty Officer or Officers, to pay the Sum or Sums of Money for which the said Execution was awarded to the Party complaining, and to enforce the Payment thereof, by such Ways, Means, and Methods as are hereinbefore provided for the Payment of Debts; and it shall and may be lawful to and for the said respective Commissioners, and they are hereby authorized to impose a Fine, not exceeding Ten Pounds, for every such Offence, on such Serjeant, or Deputy Officer or Officers.

No Attorney or Solicitor to plead or have Privilege in the Courts.

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

XXXVIII. And be it further enacted, That no Attorney at Law, Solicitor, or other Officer of any Court whatsoever, shall be allowed to plead or maintain any Privilege against the Process, Authority, Jurisdiction, or Judgment of the said respective Courts of Request; and no such Attorney, Solicitor, or any Scrivener or other Person practising the Law, shall be permitted to appear in the said respective Courts of Request as an Attorney, Solicitor, or Advocate for or on Behalf of any Plaintiff or Defendant, or any other Person, or to speak before the said respective Courts in any Cause, Action, or Matter in which such Attorney, Solicitor, Scrivener, or other Person practising the Law, is not himself a Party or Witness; and in case any Attorney, Solicitor, Scrivener, or other Person practising the Law, shall appear in the said respective Courts as an Attorney, Solicitor, or Advocate for or on Behalf of any Plaintiff or Defendant, or speak before the said respective Courts in any Cause, Action or Matter in which such Attorney, Solicitor, Scrivener, or other Person practising the Law, is not himself a Party or Witness, then and in every such Case such Attorney, Solicitor, Scrivener, or other Person practising the Law, so offending, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, on being convicted thereof before any one or more of His Majesty's Justices of the Peace for the County of *Stafford*, on his own Confession, or upon the Oath or Affirmation of one or more credible Witness or Witnesses, which Oath and Affirmation such Justice or Justices is and are hereby authorized and required to administer.

For preventing Insults being offered to the Court.

XXXIX. And be it further enacted, That if any Person or Persons shall contemptuously or wilfully affront, insult, or abuse all or any of the Commissioners or Officers of the said respective Courts of Request for the Time being, during his or their Sitting or Attendance in Court, or shall interrupt or obstruct the Proceedings of the said respective Courts, or at any Time affront, insult, or abuse, hinder, or obstruct, or attempt or threaten to hinder or obstruct any Officer of the said respective Courts in the Execution of his Office, then and in every such Case it shall and may be lawful to and for the said Commissioners then sitting, to order and direct the respective Serjeants of the said Court, with or without the Aid or Assistance of any other Person or Persons, to take such Offender or Offenders into Custody, and if not then sitting, then for the said Commissioners at the next Court, to cause a Warrant to be issued by the Clerk of the said Court, directing the respective Serjeants to apprehend and take or cause to be apprehended and taken the said Offender or Offenders, and the said Commissioners shall then or at any future Court examine into such Affront, Abuse, Insult, or Misbehaviour, either from their own View or Knowledge

ledge of the Offence, or by the Oath or Oaths, Affirmation or Affirmations, of one or more credible Witness or Witnesses; and upon such Affront, Abuse, Insult, or Misbehaviour, being duly ascertained or 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 Five Pounds, for each and every such Offence, on each and every such Offender or Offenders.

XL. And be it further enacted, That the Clerks of the said respective Courts of Request for the Time being shall fix up or cause to be fixed up from Time to Time and at all Times, in some public or conspicuous Part of the respective Court Houses or other Places where the said respective Commissioners shall meet, a true Copy of the last preceding Clause of this Act, to the end that no Person or Persons shall or may plead Ignorance thereof.

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

XLI. And be it further enacted, That every Gaoler or Keeper of the Common Gaol or Prison in the Town of *Wolverhampton* aforesaid, shall and may, and he and they is and are hereby required to take into his or their Custody respectively all and every Person and Persons who shall be committed or ordered to stand committed under or by virtue of any Warrant, Attachment, or other Precept issued out of the said respective Courts or otherwise, under or by virtue of this Act; and in case any such Gaoler or Keeper shall refuse or neglect to take and receive into his or their Custody any Person or Persons committed as aforesaid by virtue of this Act, or shall, before the Expiration of the Time for which any Person or Persons shall be committed, discharge such Person or Persons out of his or their Custody, or wilfully suffer such Person or Persons to go at large, without a Warrant or Order for that Purpose in Writing, signed in Court by Three or more of the said respective Commissioners, except in the Case of Payment or Tender of Payment of Debt and Costs as hereinbefore is mentioned and provided for, such Keeper and 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 for the said County, upon the Oath or Affirmation of one or more credible Witness or Witnesses (which Oath or Affirmation such Justice or Justices is and are hereby authorized and required to administer) or upon his or their own Confession, shall for every such Offence forfeit and pay any Sum not exceeding Twenty Pounds, at the Discretion of such Justice or Justices.

Gaolers to receive Persons committed.

XLII. And be it further enacted, That each and every Person imprisoned by virtue of this Act, shall at the Expiration of his or her Time of Imprisonment be discharged and set at Liberty, without paying any Sum of Money, Fee, or other Reward or Gratuity to the Keeper or Keepers, Turnkey or Turnkeys, of the said Gaol or Prison, or other Person or Persons, by way of Gaol Fees or Discharge Fees, or on any Pretence whatsoever; and if any Keeper or Keepers, Turnkey or Turnkeys, of the said Gaol or Prison, or any other Person whomsoever, shall demand, take, or receive any Fee or Sum 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

Debtors not liable to pay Fees.

Justices may determine such Offence.

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 any Sum not exceeding the Sum of Twenty Pounds; and it shall and may be lawful to and for any Two Justices of the Peace for the said County to hear and determine every such Offence, and such Two Justices are hereby authorized and required upon any such Information exhibited, or Complaint made to them of such Offence having been committed, within Three Calendar Months after the Commission thereof, to summon the Party accused, and also the Witnesses on each Side, and to examine into the matter of Fact, and upon due Proof thereof by the Oath or Affirmation of one or more credible Witness or Witnesses, or by the voluntary Confession of the Party accused, to give Judgment or Sentence for such Penalty or Forfeiture as aforesaid.

Fees to be taken.

XLIII. And be it further enacted, That the several Fees and Sums of Money hereinafter limited and expressed, shall be and are hereby authorized and allowed to be demanded and taken upon and for the several Procceses, Aëts, Matters and Things hereinafter mentioned, over and above any Sum or Sums of Money which any such Procceses may be subject or liable to in respect of Stamp Duties (if liable thereto); that is to say:

CLERK's FEES:

	On Debts not exceeding Forty Shillings		On Debts exceeding Forty Shillings.	
	s.	d.	s.	d.
For entering every Cause - - - - -	0	8	1	0
For every Summons to Defendant - - - - -	0	8	1	4
For every Summons or Subpœna to Witnesses - - - - -	0	8	1	4
For calling the Plaintiff and Defendant before the Court, each - - - - -	0	4	0	8
For every Hearing or Trial - - - - -	1	0	2	0
For swearing every Witness, or Plaintiff, or Defendant - - - - -	0	4	0	8
For entering and drawing up every Judgment, Decree, or Order on hearing - - - - -	1	0	2	0
For every Copy of every such Judgment, Decree, or Order - - - - -	0	9	1	6
For every Nonsuit - - - - -	0	9	1	6
For every Search - - - - -	0	4	0	8
For paying Money into Court, and entering the same in his Books - - - - -	0	6	1	0
If by Instalments 6d. in the Pound more.				
For receiving Money out of Court in full - - - - -	0	8	1	0
For receiving Money out of Court by Instalments - - - - -	1	0	1	6
For entering Acknowledgement of Satisfaction in his Books - - - - -	0	8	1	0
For issuing every Attachment, Precept, Order, or Execution - - - - -	1	0	1	6
For every Warrant of Commitment for an Insult or Misbehaviour in the Court, or to the Commissioners, Clerks, or Officers of the Courts - - - - -	1	0	2	0

SER.

SERJEANT's FEES :

	On Debts not exceeding Forty Shillings.		On Debts above Forty Shillings.	
	s.	d.	s.	d.
For the Service of every Summons, Order, or Subpœna - - - - -	0	8	1	0
For calling the Plaintiff or Defendant before the Court - - - - -	0	2	0	3
For executing every Attachment, Execution, Precept, or Warrant against the Body or Goods } If an Assistant Serjeant be necessary in the Judgment of the Commissioners then for the Assistant - - - - -	1	0	2	0
For carrying every Defendant, Plaintiff, or Delinquent to Prison - - - - -	1	0	1	0
If out of the Town of Wolverhampton, for every mile from the Town, extra for each mile - - - - -	0	6	0	9

A Table of which Fees shall from Time to Time be fixed up in some conspicuous Part or Parts of the respective Court Houses or Places where the said respective Commissioners shall meet for the Purposes aforesaid, to the end that all Persons concerned may peruse and inspect the same.

XLIV. Provided always, and be it further enacted, That the said respective Commissioners or any Nine or more of them, shall and may from Time to Time, if they shall think fit, being assembled for that Purpose, pursuant to Notice for that Purpose given, as herein directed for the Election of new Commissioners, lessen or reduce all or any of the Fees limited and allowed to be demanded as aforesaid, so that the same shall not be reduced to less than One-half of the several and respective Sums hereinbefore particularly mentioned, and may afterwards from Time to Time, if they the said respective Commissioners or any Nine or more of them, upon the like Notice being given, advance all or any of the said Fees so lessened or reduced, to any Sum not exceeding the several and respective Sums hereinbefore mentioned and expressed.

For varying Fees.

XLV. And be it further enacted, That if any Clerk or Serjeant of the said respective Courts of Request for the Time being, or any Deputy or Person by either of them employed, or any other Person, shall demand and take any greater or other Fee or Reward than what is hereinbefore mentioned and specified, under Colour or Pretence of any Service or other Matter in the Execution of this Act, he shall for every such Offence forfeit and pay such Fine, not exceeding Five Pounds, as the said respective Commissioners shall assess and impose, to be applied in Aid of carrying this Act into Execution.

Penalty on taking greater Fees.

XLVI. And be it further enacted, That it shall and may be lawful to and for the said respective Commissioners from Time to Time to make such Orders as they shall think fit for regulating the Manner of receiving and collecting such Fees, and to authorize and appoint such Person or Persons as they shall think fit to receive the same; and that every such Person and Persons shall keep an Account of the Receipt of such Fees

Commissioners to make Rules and Orders as may be necessary for receiving, appropriate

ing and di-
viding such
Fees.

Fees, and render and deliver an Account thereof when and as often as he or they shall be required so to do by the said respective Commissioners; and it shall and may be lawful to and for the said respective Commissioners to appropriate and direct the Payment of any Part or Proportion, not exceeding One third Part of such Fees so to be collected, and received as aforesaid, to or for any other Officer or Officers to be appointed by the said respective Commissioners in pursuance of this Act, and for the better Execution of the same (other than such Clerk or Clerks, Serjeant or Serjeants so to be appointed as aforesaid) and for Payment of the other Expences of carrying this Act into Execution; and the said respective Commissioners shall and may, if any Dispute or Question shall arise, or they shall otherwise think fit, direct the Division, Appropriation, and Payment of the Remainder of such Fees, and in what Manner, Shares, and Proportions, to and amongst such Clerk and Clerks, Serjeant and Serjeants, and their respective Deputies and Assistants, as shall be appointed in pursuance and for the better Execution of this Act.

Recovery
and Appro-
priation of
Penalties.

XLVII. And be it further enacted, That all Penalties and Forfeitures by this Act imposed, and which shall not be paid forthwith (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 respective Commissioners, or of the Justice or Justices by whom such Penalties or Forfeitures shall be imposed, in pursuance of any Provision in this Act contained (which Warrant such respective Commissioners and Justice and Justices are hereby respectively empowered to grant upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath or Affirmation); 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 reasonable Costs and Charges of making, keeping, and selling such Distress; and such Penalties and Forfeitures when recovered (if not hereinbefore directed to be otherwise applied) shall be paid to the respective Clerks of the said respective Commissioners, and shall by the said respective Commissioners be distributed in such Manner as they shall think right and proper, amongst the Poor within the Limits of the Jurisdiction of the said respective Courts; and in case sufficient Distress shall not be found, it shall and may be lawful to and for the said respective Commissioners or such Justice or Justices, and they are hereby respectively authorized and required, by Warrant under the Hands and Seals of the said respective Commissioners or such Justice or Justices (as the Case may be) to commit the Offender or Offenders to the Common Gaol or Prison in the said Town of *Wolverhampton* there to remain without Bail or Mainprize for any Time not exceeding Three Calendar Months, unless such Penalties or Forfeitures, and all reasonable Charges attending the Recovery thereof, shall be sooner paid and satisfied.

Form of
Conviction.

XLVIII. 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 the Conviction shall be in the Words or to the Effect following; (that is to say),

BE it remembered, That on this Day of
 in the Year of the Reign of
 of His Majesty's Justices of the Peace for the County
 of *Stafford*, (or, before Three of the Commissioners for the Reco-
 very of Small Debts within the Townships of *Wolverhampton* and
Wednesfield, and the several Parishes of *Brewood*, *Packingham*, *Bush-*
bury, and *Penn*, in the County of *Stafford*, or, before Three of the
 Commissioners for the Recovery of Small Debts within the Town-
 ships of *Bilston* and *Willenball* and the Parishes of *Wednesbury* and
Darlaston, in the County of *Stafford*) [*as the Case may be*] of having
 [*as the Offence shall be*] and I [or, We] the said
 do adjudge him, [her, or, them] to forfeit and pay for the same the
 Sum of such Offence being contrary
 to the Provisions of an Act, made in the Forty-eighth Year of the
 Reign of King GEORGE the Third, intituled [*here insert the Title of*
this Act.] Given under my Hand and Seal [or, our Hands and
 Seals] the Day and Year aforesaid.

XLIX. And be it further enacted, That where any Distress shall be made for any Sum of Money to be levied by virtue of this Act, the Distress itself shall not be deemed unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, on account of any Defect or want of Form in the Information, Summons, Conviction, Warrant of Distress, or other Proceeding relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers *ab initio*, on account of any Irregularity which shall 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.

Distress not to be unlawful for want of Form.

L. And be it further enacted, That no Order, Verdict, Assessment or Judgment, or other Proceedings 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.

Proceedings not to be quashed for want of Form.

LI. Provided always, and be it further enacted, That nothing in this Act contained shall extend to extinguish, restrain, alter, annul, take away or otherwise prejudice the Jurisdiction of any ancient Court Baron holden by any Lord or Lords of any Manor or Manors in the said County of *Stafford*, or to annul or prejudice the Jurisdiction of the County Court or Hundred Courts holden by the Sheriff of the said County of *Stafford*, or his Stewards respectively, or any of the Rights, Privileges and Franchises to the same Courts or any of them belonging, but that Pleas shall and may be held in the said Courts of all Debts, Matters, and Things, within such Manors or within the Jurisdiction of the said County or Hundred Courts respectively; and all Persons may sue and be sued in the same Courts, in like Manner as if this Act had never been made; any Thing herein contained to the contrary in anywise notwithstanding.

Reserving Jurisdiction of Courts Baron, and County and Hundred Courts.

Actions not
to be brought
without No-
tice, nor after
Tender of
Amends.

General
Issue.

Treble Costs.

Public Act.

LII. And be it further enacted, That no Action or Suit shall be brought or commenced against any Person or Persons for any Matter or Thing done or to be done in pursuance of this Act, until Notice thereof shall have been given to or left at the usual Place of Abode of the Person against whom such Action or Suit shall be intended to be brought (specifying in such Notice the particular Cause of Action) at least One Calendar Month before the suing out and serving the same, nor after sufficient Tender of Amends shall have been made to the Party aggrieved, nor unless such Action or Suit shall be brought or commenced within Six Calendar Months next after the Cause of Action shall arise, and not afterwards, and shall be laid in the County where such Person or Persons shall reside as aforesaid, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought before the Expiration of One Calendar Month after such Notice shall have been given, or after Tender of sufficient Amends shall have been made to the Party aggrieved, or after the Time before limited for bringing the same, or shall be laid in any other County or Place, then and in either of the said Cases the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuited or discontinue such Action or Suit, or if upon a Verdict or Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and shall have such other Remedy for the same as any Defendant or Defendants can or may have in any other Case by Law.

LIII. 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.

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