



ANNO QUADRAGESIMO SEPTIMO

# GEORGII III. REGIS.

\*\*\*\*\*

## Cap. 35.

An Act for the more easy and speedy Recovery of Small Debts within the Town and Port of *Sandwich*, and the Vill of *Ramsgate* and *Sarr*, and the Parishes of *Minster*, *Saint Lawrence*, *Stonar*, *Monkton*, and *Saint Nicholas*, in the Isle of *Thanet*; *Walmer*, *Ash next Sandwich*, *Eastry*, *Wingham*, *Staple*, *Goodnestone next Wingham*, *Chillenden*, *Nonnington*, *Woodnesborough* otherwise *Winsborow*, *Eythorne*, *Word* otherwise *Worth*, *Elmstone*, *Preston next Wingham*, *Ickham*, *Wickhambreux*, *Waldershare*, *Barfreston*, *Shepherdswell* otherwise *Sibbertswould*, *Wymenswould*, *Barham*, *Patrixbourn*, *Bishopsbourn*, *Beaksbourn*, *Littlebourn*, *Stodmarsh*, and *Stourmouth*, in the County of *Kent*. [25th April 1807.]

**W**HEREAS by an Act made in the Twenty-sixth 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 Port of Sandwich and Vill of Ramsgate, and the Parishes of Minster and Saint Lawrence, in the Isle of Thanet; Walmer, Ash next Sandwich, Eastry, Wingham, Staple, Goodnestone next Wingham, Chillenden, Nonnington, Woodnesborough otherwise Winsborow, Eythorne, Word* 26 G.3.c.22.  
[*Loc. & Per.*] 6 M *otherwise*

*otherwise* Worth, Elmestone, Preston next Wingham, Ickham, and Wickhambreux, in the County of Kent, certain Powers and Authorities were thereby given for the Recovery of Small Debts, not exceeding the Sum of Forty Shillings, within such Town and Port, Vill, Parishes, and Places: And whereas the said Town and Port of *Sandwich*, and the said Vill of *Ramsgate*, and the said Parishes and Places, are situate at a great Distance from the Town of *Maidstone*, where the Assizes for the said County of *Kent* are holden, so that the Inhabitants of such Town and Port, Vill, Parishes, and Places are, for the Purpose of recovering Small Debts exceeding the Sum of Forty Shillings, obliged, together with their Witnesses, to travel a Distance of about Forty Miles, and at an Expence far exceeding the Value of the Sum in contest: And whereas it would greatly tend to the Improvement and Encouragement of Trade in the said Town and Port, and in the said Vill, Parishes, and Places, and to the necessary Support and Protection of useful Credit therein, if the said Act were repealed, and better and more extensive Powers and Provisions granted and made for the more speedy Recovery of Debts of greater Amount, and if such Powers and Provisions were extended to the Vill of *Sarr*, and the several Parishes of *Stonar*, *Monkton*, and *Saint Nicholas*, in the said Isle of *Thanet*; *Waldershare*, *Barfreston*, *Shepherdswell* otherwise *Sibbertswould*, *Wymenswoud*, *Barham*, *Patrixbourn*, *Bishopsbourn*, *Beakbourn*, *Littlebourn*, *Stodmarsh*, and *Stourmouth*, in the said County of *Kent*: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act, and all and every the Clauses, Powers, Provisions, Matters, and Things therein contained, shall be and the same is and are hereby repealed and declared to be null and void to all Intents and Purposes.

Former Act  
repealed.

Sandwich  
Commission-  
ers.

II. And be it further enacted, That the Representatives in Parliament for the said Town and Port of *Sandwich*, the Mayor, Jurats, Recorder, and Town Clerk of the said Town and Port, the Deputy of the said Parish of *Walmer*, and the Deputy of the said Vill of *Sarr* for the Time being, together with *William Wyborn Bradly*, *Wheeler Bunce* Clerk, *William Brice*, *Robert Bayley*, *Robert Curling*, *John Conant* Clerk, *John Carter*, *Stodden Castle*, *Francis Cocking*, *John Maris Cocking*, *William Cocking*, *John Castle*, *Joseph Cocking*, *Richard Emmerson*, *Richard Emmerson junior*, *Charles Emmerson*, *George Eastes*, *Edmund Fowle*, *John Fowle*, *Robert Famariss*, *Giles Gimber*, *James George*, *Andrew Hills*, *Samuel Harvey*, *Herbert Hooper*, *John Harrisson*, *Thomas Hope*, *William Jarman*, *Richard Leggat*, *George John Piercy Leith*, *Henry Matson*, *John Matson of Sandwich*, *John Marbrook*, *John Omer*, *Charles Porter*, *George Powell*, *Peter Rainier* of the Royal Navy, *Jennings Rutter*, *Williar Slaughter*, *Augustine Smithers*, *Terry Sayer*, *William Slaughter junior*, *Samuel Foart Simmons M.D.*, *Isaac Slaughter*, *John Slaughter*, *Isaac Slaughter junior*, *Edward Slaughter*, *George Sayer of Sandwich*, *Stephen Saunders*, *Thomas Sutton M.D.*, *George Snowden*, *David Taylor*, *Robert Tomlin*, *Richard Tattasell*, *Henry Woodcock*, *James Wood*, *Henry Woodcock junior*, *Henry Woodruff*, *William Warman*, and *Charles Warman*, being in all Sixty of the most discreet and substantial Inhabitants and Householders resident within the said Town and Port of *Sandwich*, the

said Vill of *Sarr*, and the several Parishes of *Stonar*, *Minster*, *Monkton*, and *Saint Nicholas*, in the said Isle of *Thanet*; *Walmer*, *Ash next Sandwich*, *Eastry*, *Wingham*, *Staple*, *Goodnestone next Wingham*, *Chillenden*, *Nonnington*, *Woodnesborough* otherwise *Winsborow*, *Eythorne*, *Word* otherwise *Worth*, *Elmestone*, *Preston next Wingham*, *Ickham*, *Wickhambreux*, *Waldershare*, *Barfreston*, *Shepperdswell* otherwise *Sibbertswould*, *Wymenswoud*, *Barham*, *Patribourn*, *Bishopsbourn*, *Beaksbourn*, *Littlebourn*, *Stodmarsh*, and *Stourmouth*, in the said County of *Kent*, or some of them, and their Successors, to be elected and appointed in Manner herein mentioned, and not to exceed Sixty in Number at one Time, shall be and they are hereby appointed Commissioners for the Recovery of Small Debts, not exceeding the Sum of Five Pounds, due or owing by or from any Person or Persons whomsoever, inhabiting, residing, or being within the said Town and Port of *Sandwich*, the said Vill of *Sarr*, or within any of the said several Parishes of *Stonar*, *Minster*, *Monkton*, and *Saint Nicholas*, in the said Isle of *Thanet*; *Walmer*, *Ash next Sandwich*, *Eastry*, *Wingham*, *Staple*, *Goodnestone next Wingham*, *Chillenden*, *Nonnington*, *Woodnesborough* otherwise *Winsborow*, *Eythorne*, *Word* otherwise *Worth*, *Elmestone*, *Preston next Wingham*, *Ickham*, *Wickhambreux*, *Waldershare*, *Barfreston*, *Shepperdswell* otherwise *Sibbertswould*, *Wymenswoud*, *Barham*, *Patribourn*, *Bishopsbourn*, *Beaksbourn*, *Littlebourn*, *Stodmarsh*, and *Stourmouth*, in the said County of *Kent*, or keeping or using any House, Coach House, Warehouse, Wharf, Quay, Lodging, Shop, Shed, Stall, or Stand, or using or frequenting any Market or Markets there, or working or seeking a Livelihood, or in anyway trading or dealing within the same; and the said Commissioners and their respective Successors shall be and they are hereby constituted a Court of Justice by the Name and Style of 'The Court of Requests in the Town and Port of *Sandwich*;' and the said Commissioners are hereby empowered and required to meet and to hold the said Court on the Second *Tuesday* in every Month (*Christmas Day*, and Fast and Thanksgiving Days by Proclamation, only excepted, and then on the following Day) in the Guildhall of the said Town and Port of *Sandwich*, except when the said Hall shall be burnt, damaged, destroyed, or otherwise rendered unfit for holding the same, and then only during such Time as the said Hall shall remain unfit for holding the said Court, the same shall be held in some other convenient Place within the said Town and Port, to be appointed by the major Part of the said Commissioners for that Purpose assembled.

Sandwich  
Court where  
to be holden.

III. And be it further enacted, That the Chairman of the Trustees of *Ramsgate Harbour*, the Deputy Chairman of the same Trustees, and the Deputy of the Vill of *Ramsgate* for the Time being, together with *William Abbot B.D.*, *Nathaniel Austen*, *Gilbert Bedford*, *Barman Bourn*, *Peter Burgess*, *Stephen Bax*, *Bernard Mercer*, *Richard Bayley*, *Daniel Curling*, *Daniel Curling junior*, *Sir William Curtis Baronet*, *Charles Bowland Cotton*, *John Curling*, *Henry Cull*, *Joseph Dyason*, *Joseph Duplock*, *Joseph Elson*, *Thomas Elgar*, *Edward Foster*, *William Fox*, *John Friend*, *George Friend*, *Thomas Garrett*, *John Garrett*, *William Guy*, *Thomas Gray*, *Medmer Goodwin*, *George Gibson*, *Robert George*, *Robert Goodson*, *George Basage Hope*, *Richard Harvey*, *Richard Harvey junior*, *John Holman*, *Sharp Hutchinson*, *Jeffery Hudson*, *William Humble*, *Stephen Joad*, *Richard Kemp*, *George Louch*, *John Moses*, *John Nethersell*, *John Oliver*, *George Phillips*, *William Peake*, *John Peake*,

Ramsgate  
Commission-  
ers.

*Peake, Robert Page, Thomas Rammell, John Stevens, Daniel Stock, Stephen Saunders, Thomas Spurgen, George Allen Spencer, James Stevenson, Richard Tomson, James Townley, John Thwaite, George Townsend, Robert Underdown, and Thomas Woodland,* being in all Sixty of the most discreet and substantial Inhabitants and Householders resident within the said Vill of *Ramsgate* and Parish of *Saint Lawrence*, and their Successors, to be elected and appointed in Manner herein mentioned, and not to exceed Sixty in Number at any one Time, shall be and they are hereby appointed Commissioners for the Recovery of Small Debts, not exceeding the Sum of Five Pounds, due or owing by or from any Person or Persons whomsoever, inhabiting, residing, or being within the said Vill of *Ramsgate*, or Parish of *Saint Lawrence*, in the said Isle of *Thanet*, and County of *Kent*, or keeping or using any House, Coach House, Warehouse, Wharf, Quay, Lodging, Shop, Shed, Stall, or Stand, or using or frequenting any Market or Markets there, or working or seeking a Livelihood, or in anyway trading or dealing within the same; and the said last-mentioned Commissioners and their respective Successors shall be and they are hereby constituted a Court of Justice, by the Name and Style of 'The Court of Requests in the Vill of *Ramsgate*;' and such Commissioners are hereby empowered and required to meet and to hold the said Court on the Second *Tuesday* in every Month (*Christmas Day*, and *Fast* and *Thanksgiving Days* by Proclamation, only excepted, and then on the following Day) in the Town Hall of the said Vill of *Ramsgate*, except when the said Hall shall be burnt, damaged, destroyed, or otherwise rendered unfit for holding the same, and then, only during such Time as the said Hall shall remain unfit for holding the said Court, the same shall be held in some other convenient Place within the said Vill, to be appointed by the major Part of the said last-mentioned Commissioners for that Purpose assembled.

Ramsgate  
Court where  
to be holden.

Courts to be  
separate and  
distinct from  
each other.

IV. Provided always, and it is hereby enacted and declared, That the said respective Courts, and the Officers to the same respectively belonging, shall in all Matters and Things be separate and distinct from each other; and that the Jurisdiction of the said respective Courts shall be confined to the Town and Port, and several Vills, Parishes, and Places within their respective Jurisdictions.

Commission-  
ers to hear  
Causes and to  
give Judgment.

V. And be it further enacted, That the Commissioners of the said respective Courts, or the major Part of them present at their respective Meetings to be holden in pursuance of this Act, are hereby authorized and empowered to hear and determine, in their respective Jurisdictions, all such Actions and Causes as are herein-after mentioned, and to give such Judgments, and to make such Orders and Decrees therein, and to award Execution thereupon, with the Costs, against the Body or Bodies, or against the Goods and Chattels of all and every the Person and Persons against whom they shall give any such Judgment, or make any Order or Decree, as to them shall seem just in Law or Equity; and in case of an Equality of Votes on any Action, Cause, or Question before the Commissioners of the said respective Courts, then and in every such Case the Commissioner present who shall stand first in the List of Names of the said respective Commissioners (which List the said respective Commissioners shall and they are hereby required to hang or cause to be hung up in the respective Courts or Places where the respective Commissioners meet) shall have the decisive or casting Vote.

VI. Pro-

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

Three Commissioners for 40s. and Five Commissioners for Sums above 40s.

VII. And be it further enacted, That when any of the said respective Commissioners of the said respective Courts (save and except, as to the Court of Requests in the said Town and Port of *Sandwich*, the Representatives in Parliament for the said Town and Port, the said Mayor, Jurats, Recorder, and Town Clerk of the said Town and Port, the Deputy of the said Parish of *Walmer*, and the Deputy of the said Vill of *Sarr*, for the Time being; and also save and except, as to the Court of Requests in the said Vill of *Ramsgate*, the Chairman of the Trustees of *Ramsgate Harbour*, the Deputy Chairman of the same Trustees, and the Deputy of the said Vill of *Ramsgate*, for the Time being) or any of the Successors of the respective Commissioners of the said respective Courts to be elected in Manner herein mentioned, shall die or refuse to act, or shall cease to be qualified in Manner herein directed to act as a Commissioner in the Execution of this Act, then and in such Case it shall and may be lawful to and for the respective surviving and remaining Commissioners acting in Execution of this Act, in their respective Jurisdictions, or the major Part of them present at a Meeting to be holden for that Purpose, within the Space of Thirty Days next after such Decease or Refusal to act shall happen or be known, or as soon after 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, 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 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 in the said respective Jurisdictions, for which he shall be so elected and appointed, 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.

Appointment of new Commissioners.

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

Commissioner to take an Oath.

I *A. B.* do swear [*or, being one of the Persons called Quakers, do solemnly 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 Forty-seventh Year of the Reign of King *George* the Third, intituled [*set forth the Title of this Act,*] without Favour or Affection, Prejudice or Malice, to any Person or Persons whomsoever; and also

Oath.

[*Loc. & Per.*]

6 N

that

‘ 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 or Affirmation the Commissioners of the said respective Courts, or any one or more of them, is and are hereby empowered and required to administer in their respective Courts, 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 to be provided for that Purpose, with the said Oath or Affirmation written or printed thereon or therein, and such Roll or Rolls, or Book, shall be carefully kept among the Records of the said respective Courts.

Qualification  
of Commis-  
sioners.

IX. And be it further enacted, That no Person, either in right of Office, or otherwise, shall be qualified to act as a Commissioner in the Execution of this Act, unless he shall at the Time of acting be a Householder within the Jurisdiction of that Court of which he shall be appointed a Commissioner, 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, 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, or by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed ; and in every such Action, Bill, Plaint, and 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 in point of Property 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.

Acts of Com-  
missioners  
before Con-  
viction good.

Officers ap-  
pointed by  
former Act  
to continue  
until re-  
moved.

X. And be it further enacted, That the Clerk and Sergeant duly chosen and appointed by virtue and under the Authority of the said recited Act, shall hold and enjoy their several and respective Offices and Employments of Clerk and Sergeant of the said Court of Requests, in the Town and Port of *Sandwich*, for the Execution of the Purposes in this Act contained, and shall be subject to the like Pains and Penalties, and Power of Suspension and Removal, and to the like Rules and Regulations, as if he had been nominated or appointed by virtue of this Act ; and it shall be lawful for such Clerk from Time to Time to appoint a proper and sufficient Deputy to act and officiate for him in the Duties of the said Place or Office.

XI. And

XI. And be it further enacted, That it shall and may be lawful to and for the said Commissioners of the said Court of Requests, in the Town and Port of *Sandwich*, and they are hereby empowered, at their First or any of their Meetings to be holden in pursuance of this Act, to nominate and appoint fit and proper Persons as necessary Officers (save and except a Clerk and Sergeant) of and in the said Court; and it shall and may be lawful to and for the Commissioners of the Court of Requests in the Vill of *Ramsgate*, at their First Meeting, or at any of their Meetings to be holden in pursuance of this Act, and they are hereby empowered, to nominate and appoint fit and proper Persons for Clerk, Sergeant, and other necessary Officers of and in the said Court of Requests; and it shall and may be lawful to and for the Clerk of the Court of Requests in the Vill of *Ramsgate* from Time to Time to appoint a proper and sufficient Deputy to act and officiate for him in the Duties of the said Place or Office.

Other Officers to be appointed for the respective Courts.

XII. And be it further enacted, That it shall and may be lawful to and for the said respective Clerks and their respective Deputies, and they are hereby respectively empowered and required, to issue all Summonses, Subpœnas, Warrants, and Precepts, and to register all Orders, Decrees, and Judgments of the said respective Courts, and to do all such Acts, Matters, and Things as are directed or required to be done by them respectively by virtue of this Act, and to enter and register, or cause to be entered or registered, in proper Books to be provided by such respective Clerks, and kept for that Purpose in their respective Courts, all the Acts and Proceedings of the same respective Courts, of what Nature or Kind soever.

Clerks to issue Summonses and to enter Proceedings in Books.

XIII. And be it further enacted, That in case of Neglect or Refusal of the Commissioners of the said respective Courts a sufficient Number of 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 the Commissioner or Commissioners who shall be present, and if no Commissioner shall be present, to and for the said respective Clerks or their respective Deputies for the Time being, to adjourn such respective Courts to the next Court Day, or to some earlier Day.

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

XIV. And be it further enacted, That the respective Clerks of the said Courts, or their respective Deputies, shall do and perform in their respective Offices as they shall be directed or appointed by the Commissioners in their respective Courts; and the several Sergeants of the said respective Courts shall serve all Summonses and Subpœnas, and execute such Warrants, Orders, 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.

Duty of Clerks and Sergeants.

XV. And be it further enacted, That it shall and may be lawful for the major Part of the respective Commissioners who shall be sitting and acting in their respective Courts, on the next Court Day after the Death, Resignation, or Removal of any Clerk or Sergeant, or other Officer chosen and appointed by virtue of the said recited Act or of this Act, or so soon after as the same shall be known, to cause the whole Number of the respective Commissioners for the Time being of the said respective Courts to be summoned to meet in their respective Places of Meeting within Fourteen Days next after their being summoned as aforesaid, and such respective Commis-

Appointment of new Officers in case of Death or Resignation.

sioners

sioners of the said respective Courts at such Meeting, 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 or Sergeant, or other Officer, so dying, resigning, or being removed as aforesaid, for the Uses and Purposes in this Act contained, and so from Time to Time when and so often as any Clerk or Sergeant, or other Officer, of the said respective Courts shall die, resign, or be removed from their respective Offices; and if it shall at any Time appear necessary to any Nine of the said respective Commissioners, or to the major Part of them in their respective Courts assembled at any Meeting, from the Increase of the Business of the said respective Courts, or for any other Reason, that another Sergeant or other inferior Officer of the said respective Courts is wanting, then and in every such Case it shall and may be lawful to and for such Nine Commissioners, or the major Part of them assembled in their respective Courts on any Court Day, to appoint any additional Sergeant, or other inferior Officer, who may appear to the said respective Commissioners to be wanting or necessary for carrying any of the Purposes of this Act into Execution; and it shall and may be lawful to and for the said Commissioners of the said respective Courts, or the major Part of them assembled for that Purpose, from Time to Time to remove such Sergeant or other Officer, or any of them, when the Exigency is over, or for Misbehaviour in their respective Offices, or any other sufficient Cause.

To regulate  
the Sittings  
of the Courts.

XVI. And, for better regulating the Sittings of the said respective Courts, be it further enacted, That the said Commissioners shall not hold their said respective Courts, or hear or determine any Case or Cases, Cause or Causes, by virtue of this Act, but between the Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon; and nothing in this Act contained shall extend, or be construed to extend, so as to require or compel the Attendance of any Plaintiff or Plaintiffs, Defendant or Defendants, Witness or Witnesses, in the said respective Courts, in pursuance of any Order or Summons issued out of the said respective Courts, or by any Person or Persons whomsoever acting as an Officer or Officers of the said respective Courts, save and except between the said Hours of Ten of the Clock in the Forenoon and Three of the Clock in the Afternoon.

What Debts  
to be decided  
by the Com-  
missioners.

XVII. And be it further enacted, That it shall and may be lawful to and for the said respective Commissioners, and they are hereby empowered and enabled, in their respective Jurisdictions, to decide and determine all Disputes and Differences between Party and Party, for any Sum not exceeding Five Pounds, in all Actions or Causes of Debt, and in all Causes of Assumpsit and Insimul Computasset, and in all Causes or Actions of Trover and Conversion, and in all Causes and Returns founded on a Quantum Meruit, and in all Causes or Actions of Trespass or Detinue for Goods and Chattels taken or detained,

Debts for  
Wages may  
be sued for  
in the Courts  
by Persons  
under Age.

XVIII. And be it further enacted, That in every Case where any Wages, or any other Sum or Sums of Money whatsoever, not exceeding the said Sum of Five Pounds, shall be due to any Menial or other Servant, Clerk, Book-keeper, Journeyman, Shopman, Shopwoman, Assistant, Labourer, or any other Person whomsoever, under the Age of Twenty-one Years, it shall be lawful 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 of Requests, according to their respective Jurisdictions, in the same Manner as if he or she were of full Age; and the Commissioners of the said respective Courts, or any Five or more of them, in their respective Jurisdictions, and according to the Amount of such Debt, are hereby fully authorized and required in such Cases to take Cognizance of, and proceed 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.

XIX. Provided always, and be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, so as to enable the said respective 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 any Debt for any Sum, being the Balance of an Account on Demand, originally exceeding the Sum of Five Pounds; or to judge, decide, or determine on any Debt that shall arise by reason of the Occupation of any Lands, Tenements, or Hereditaments, situate elsewhere than within the Limits and Jurisdictions of the said respective Courts; or to judge, determine, or decide on any Debt that shall arise by reason of any Cause concerning Testament or Matrimony, or any thing concerning or properly belonging to the Ecclesiastical Court, or for or concerning any Agreement, by way of Composition for, or by way of Retainer of Tithes, or for any Matter properly suable therein, nor to any Debt for any Money or Thing won at or by Means of any Horse Race, Cock Match, Wager, or any Kind of Gaming or Play.

Commissioners not to determine any Causes where the Title to the Land is brought in question.

XX. And be it further enacted, That if any Commissioner or Commissioners of the said respective Courts for the Time being shall be Party to, or concerned or interested in any Cause, Action, or Matter depending in either of the said respective Courts, such Commissioner or Commissioners shall not be capable of acting as a Commissioner or Commissioners on the hearing or determining such Cause, Action, or Matter, or in making any Order, Decree, or Judgment therein, but such Commissioner or Commissioners, after being heard in such Cause, Action, or Matter, shall withdraw until the same is finally determined; and if the respective Clerks, or their respective Deputies, the respective Sergeants or other Officers of the said respective Courts for the Time being, or any or either of them, shall be a Party or Parties interested in any Cause, Action, or Matter depending in the said Court, to which such Clerk, Deputy, Sergeant, or other Officer shall belong, such Clerk or Clerks, Deputy or Deputies, Sergeant or other Officer, shall not exercise his or their said Office or Offices in such Cause, Action, or Matter, wherein he or they is or are personally interested, or in any thing relating thereto, but the said respective Commissioners forming the said Court shall and may appoint another Person specially to exercise the Office of such Clerk or Clerks, or Deputy or Deputies, Sergeant, or other Officer respectively, in all things relating to such Cause, Action, or Matter.

Commissioners, &c. not to act where interested.

XXI. And be it further enacted, That from and after the first Meeting of the said respective Commissioners, it shall and may be lawful, to and

Debtors may be summoned before the Commissioners for

[Loc. & Per.]

60

ers, who may make such Order between the Parties as they shall think fit.

for any Person or Persons (whether such Person or Persons shall reside within the Jurisdiction of the said respective Courts or not), having any Debt or Debts for or in respect of Wages, Rent or Arrears of Rent, or otherwise howsoever (save and except as herein mentioned), 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, Administrator, Guardian, Assignee, or Trustee to any Person or Persons, or due and owing to him as Mayor, Chamberlain, Town Clerk, Treasurer, or other Officer to any Body Corporate, as Collector of any Rates or Taxes, or as Clerk, Treasurer, or other Officer to any Commissioners or Trustees, 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 within their respective Jurisdictions are by this Act enabled to judge 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 and Port of *Sandwich*, or within either of the Villages of *Ramsgate* and *Sarr*, or within any or either of the several Parishes herein-before mentioned, or keeping or using any House, Coach House, Warehouse, Wharf, Quay, Lodging, Shop, Shed, Stall, or Stand, or using or frequenting any Market or Markets there, or seeking a Livelihood, or in any way working, trading, or dealing within the same, or being in or belonging to any Ship, Vessel, Hoy, Lighter, Barge, Boat, or other Craft lying in or navigating in either of the Harbours of *Sandwich* or *Ramsgate*, to apply to the Clerk or Deputy Clerk of that Court, within the Jurisdiction of which such Debtor or Debtors shall inhabit, reside, or be, or shall keep or use any House, Coach House, Warehouse, Wharf, Quay, Lodging, Shop, Shed, Stall, or Stand, or shall use or frequent any Market or Markets, or shall seek any Livelihood, or in any Manner work, trade, or deal; and such Clerk shall thereupon in due Course make out and deliver, or cause to be made out and delivered, to the Sergeant of the same Court for the Time being, a Summons in Writing under the Hand of the said Clerk, directed to such Debtor or Debtors, expressing the Sum demanded of him, her, or them, and stating the Particulars of such Demand or Cause of Action, together with the Name of the Party demanding the same, and requiring him, her, or them to appear at a certain Time and Place to be mentioned in such Summons, before the Commissioners of the Court from which such Summons shall issue, to answer such Demands; and such Sergeant shall at least Six Days before the Day appointed for such Debtor or Debtors to appear, serve, or cause such Summons to be served, on such Debtor or Debtors, either personally or by leaving the same with his, her, or their Servant, or other Person belonging to him, her, or them, or at the Dwelling House, Coach House, Warehouse, Wharf, Quay, Lodging, Place of Abode, Shop, Shed, Stall, Stand, Ship, Vessel, Hoy, Lighter, Barge, Boat, Craft, or other Place of dealing, trading, or working of such Debtor or Debtors, being within the Jurisdiction of the same Court; and upon due Proof made of such Summons having been duly served in Manner aforesaid, or upon the Appearance of the Debtor or Debtors, the Commissioners present in Court (such Number present not being less than by this Act is directed) are hereby empowered and required to make due Inquiry concerning such Demands or Plaints, and make such Orders and Decrees therein, and pass such final Sentence or Judgment thereupon, and award such Costs of Suit, as to them shall seem most agreeable to Equity and good

Conscience,

Conscience, and as well the Plaintiff or Plaintiffs as the Debtor or Debtors whom such Order or Orders, Decrees, Judgments, and Proceedings shall respectively concern, shall duly observe, perform, and keep the same respectively; and for the better Discovery of the Truth, and more solemn Determination of the Matters and Causes which shall be depending in the said respective Courts, it shall and may be lawful to and for the Commissioners present in the said respective Courts, to administer an Oath or Oaths (or Affirmation or Affirmations, being of the People called *Quakers*) to any Officer of the said Court, or to all or any of the Parties whom they the said respective Commissioners shall think proper to examine touching the Matters then in Question, and also to such Witness or Witnesses as shall be produced by each Party, and also to any other Person or Persons whose Evidence shall seem necessary towards the hearing or determining any of the said Causes or Actions, or making any Order or Decree therein, or for any other Purpose requisite to the Execution of this Act.

Commissioners empowered to administer Oaths.

XXII. 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, Service of such Summons as aforesaid on any one of such Partners or Persons, or left at his, her, or their last or usual Place or Places of Abode, Warehouse, Coach House, Lodging, Shop, Shed, Stall, Stand, Ship, Vessel, Hoy, Lighter, Barge, Boat, Craft, or other Place of Residence, dealing, trading, or working, shall be as good and sufficient as if each of such Partners or Persons were separately summoned as aforesaid.

Service on one Partner to be deemed Service on both.

XXIII. And be it further enacted, That nothing herein contained shall extend, or be construed to extend, so as to enable any Plaintiff or Plaintiffs to split or divide any Cause or Action for 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 respective Courts, or either of them; and in case it shall appear to the said respective Commissioners that any Plaintiff or Plaintiffs shall have so split or divided his, her, or their Cause or Action as aforesaid, then and in every such Case the said Commissioners, in their respective Courts, 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 or Plaintiffs from proceeding for the Recovery of his, her, or their Debt in any of His Majesty's Courts of Record at *Westminster*, or in such other Manner as he, she, or they may lawfully proceed: Provided always, that in case any Plaintiff or Plaintiffs who shall have so split or divided such his, her, or their Cause or Action, shall be willing to accept such Sum of Money as the said respective Courts are in and by this Act enabled in their respective Jurisdictions to adjudge, decree, and pronounce, in full of the Whole of his, her, or their Demand in such Cause or Action so split or divided, then and in every such Case the said respective Commissioners shall and may adjudge, decree, and pronounce (on such Plaintiff or Plaintiffs proving his, her, or their Cause or Case to the Satisfaction of the said respective Commissioners) such Sum to the Plaintiff or Plaintiffs,

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

but the Court may decree in such Action so split, if the Plaintiff shall be content to receive the Money in full of all Demands.

not

not exceeding the Sum of Five Pounds, as to the said respective Commissioners shall seem just and reasonable; and such Sum shall, in the Judgment or Decree to be pronounced by the said respective Commissioners, be declared to be and shall be in full Discharge of all Demands from the Defendant or Defendants to the Plaintiff or Plaintiffs in such Cause or Causes so split and divided.

No Evidence to be given by the Plaintiff of any Matter not stated in his Summons, nor by Defendant in any Cross Demand he may have on the Plaintiff, without Notice given thereof.

XXIV. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff on the Trial of any such Cause or Action as aforesaid, or of any Cause or Action, except such as is stated in the said Summons hereby directed to be given, nor shall any Evidence be admitted on Behalf of the Defendant or Defendants on the Trial of such Cause or Action, of any Demand he, she, or they may have on the Plaintiff or Plaintiffs in the Nature of a Set-off, to lessen or discharge himself, herself, or themselves from such Demand or Cause of Action, unless Notice thereof in Writing shall have been given to the said Plaintiff or Plaintiffs by personal Service, or by leaving it at his, her, or their Dwelling House, Warehouse, Coach House, Wharf, Quay, Lodging, Place of Abode, Shop, Shed, Stall, Stand, Ship, Vessel, Hoy, Lighter, Barge, Boat, or other Craft, or other Place of dealing, trading, or working, previous to the Day when such Matter or Cause shall be heard or tried.

If Debtor does not appear, Commissioners may proceed.

XXV. And be it further enacted, That if any Debtor or Debtors who shall have been duly summoned as aforesaid shall not appear, either in Person, or by his, her, or their Agent, or some other Person on his, her, or their Behalf, before the said Court, at the Time and Place mentioned in the said Summons, then and in every such Case it shall and may be lawful to and for the said respective Commissioners assembled in their said respective Courts and Jurisdictions, after Proof made upon Oath of the Service of the said Summons in Manner aforesaid, to hear the Cause on the Part of the Plaintiff or Plaintiffs only, and to make such Order, Decree, or Judgment therein, and to award such reasonable Costs of Suit, as to them shall seem most agreeable to Equity and good Conscience.

If Plaintiff does not appear to prove his Demand, Defendant shall have Costs.

XXVI. And be it further enacted, That if upon any Day of the Return of any Summons issued on the Behalf of any Plaintiff or Plaintiffs, or at any Continuation or Adjournment of the said respective Courts, or of the Cause on account of which such Summons shall have been issued, the Plaintiff or Plaintiffs shall not appear, either in Person or by his, her, or their Agent, or some other Person on his, her, or their Behalf, or appearing shall not make Proof of his, her, or their Demands to the Satisfaction of the said respective Courts, but shall become nonsuited, or Judgment shall be pronounced against him, her, or them by the Commissioners of the said respective Courts, then and in every such Case it shall and may be lawful to and for the said respective Commissioners present in their respective Courts, and they are hereby required to award to the Defendant or Defendants such reasonable Costs, and such reasonable Satisfaction for his, her, or their Trouble and Attendance, as they the said respective Commissioners in their Discretion shall think fit, and to order and compel the Plaintiff or Plaintiffs to pay the same by such Ways or Means as are herein provided for the Recovery of Debts ordered or decreed by the said respective Courts.

XXVII. And

XXVII. And be it further enacted, That in any Cause, Action, or Case where 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 present in their respective Courts, to award Execution either against the Body or Goods of the Party against whom such Order or Decree shall be made, and thereupon it shall and may be lawful to and for the respective Clerks of the said respective Courts within their respective Jurisdictions, at the Prayer of the Party prosecuting such Order or Decree for the Payment of Money, to issue a Precept under their respective Hand and Seal by way of Capias ad satisfaciendum or Fieri facias to the respective Sergeants of the said respective Courts, who, by virtue of such Precept issued upon Execution awarded against the Body of such Party, shall and may and is hereby empowered to take such Party, being within the Jurisdiction of the said respective Courts, and carry him, her, or them to the Common Gaol of the said Town and Port of *Sandwich*, there to remain until he, she, or they shall perform and obey such Order, Decree, or Judgment, for the Space or Time herein in that Behalf particularly directed; and in case any such Precept shall be issued upon Execution against the Goods and Chattels of such Party, such Sergeant shall and may and he is hereby empowered to levy by Distress and Sale of the Goods and Chattels of such Party, being within the Jurisdiction of the said respective Courts, such Sum or Sums of Money and Costs as shall be ordered, decreed, or adjudged; and if the Party against whose Body or Goods any such Execution shall be awarded, and Process thereupon issued, shall, by absconding or by secreting or removing his, her, or their Goods or Chattels, or by any other Means, prevent or evade the Service or Effect of any such Execution, it shall and may be lawful to and for the said respective Commissioners present in the said respective Courts, upon due Proof thereof made before them by the Oath or Oaths of One or more credible Witness or Witnesses, at their Discretion, to award further Execution either against the Body or Goods and Chattels of such Party, and Process shall issue thereupon and be served by the respective Sergeants of the said respective Courts according to their respective Jurisdictions in Manner aforesaid, until the Plaintiff or Plaintiffs shall be fully paid and satisfied; and it shall and may be lawful to and for the said respective Commissioners from Time to Time, in case they shall think fit, (for the Ease and Convenience of the Defendant or Defendants,) and they are hereby authorized and empowered, to order, decree, or adjudge any Debt or Debts due to the Plaintiff or Plaintiffs to be paid by several Payments or Instalments, and under such Terms and Conditions as may appear reasonable and just to them the said respective Commissioners, for the Ease of the Defendant or Defendants and the Security of the Plaintiff or Plaintiffs; and it shall and may be lawful to and for the said respective Commissioners present in their respective Courts, in case any Default or Failure of any such Payments or Instalments so ordered, decreed, and adjudged, or directed, shall afterwards be made, and they are hereby respectively authorized and empowered, in their respective Jurisdictions, at the Instance of the Plaintiff or Plaintiffs, and upon due Proof of the said Default or Failure, to award Execution against the said Defendant or Defendants, or against any other Person or Persons who may have given Security to the said Plaintiff or Plaintiffs, under the Directions of the said respective Commissioners for the Payment of such Instalments in Manner aforesaid, for the whole Debt, or such Part thereof

Commissioners may award Execution against the Body or Goods.

In case Parties abscond or secrete their Goods;

and may order Debts to be paid by Instalments.

as shall then remain unpaid, together with such further Costs as to them shall seem just and reasonable; and such Debt, or such Part thereof, and such further Costs, shall be recovered by the same Ways and Means as are herein provided for the Recovery of the Debt and Costs first decreed.

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

XXVIII. And be it further enacted, That it shall not be lawful to or for the said respective Commissioners of the said respective Courts to issue any Process against the Body or Bodies of any Defendant or Defendants in any Case or Cases where the Plaintiff or Plaintiffs entitled to the Benefit of any Order, Judgment, or Decree shall at the same Time, or previously, have obtained any Warrant or Process against the Goods and Chattels of the same Defendant or Defendants.

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

XXIX. And as it may happen that Persons served with Process issuing out of the said respective Courts of Requests 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 Twenty Shillings shall have been obtained in either of the said respective Courts, 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 being issued against the Person or Persons or Effects (as the Case may be) of the Defendant or Defendants, and that the Person or Persons, Goods and Chattels of such Defendant or Defendants, is or are not to be found within the Jurisdiction of the said respective Courts, which Affidavit may be made before a Judge or a Commissioner authorized to take Affidavits; and 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 Court, subsequent to the said Decree and Judgment, and of the Execution in the said superior Court, over and above the Money for which such Execution shall be issued.

Clerks to insert or indorse Debt and Costs in the Precept, and if paid to Clerk of Court before Sale, Execution to be superseded.

XXX. And be it further enacted, That in or upon each and every Precept to be issued upon Execution awarded against the Body or Goods and Chattels of any Person or Persons whomsoever, the respective Clerks of the said respective Courts shall insert or indorse, or cause to be inserted or indorsed, the Sum or Sums of Money and the Costs so ordered, decreed, and adjudged; and if the Party or Parties against whom such Execution shall be awarded respectively shall, before any actual Sale of the Goods and Chattels, or before he, she, or they is or are apprehended, or before the Expiration of the Term of his, her, or their Imprisonment, as herein mentioned, pay or cause to be paid or tendered unto the Clerk of the Court

from which such Execution shall be issued, such Sum or Sums of Money and Costs, together with the Fee or Fees herein directed to be paid to the Clerk as a Compensation for his Trouble in receiving the same, and in entering an Acknowledgment and Satisfaction in full for such Sum or Sums of Money and Costs, then and in every such Case the Execution shall be superseded, and the Body or Goods and Chattels of the said Party or Parties shall be discharged and set at liberty.

XXXI. And be it further enacted, That the Keeper or Keepers for the Time being of the Common Gaol or Prison within the said Town and Port of *Sandwich* shall, and he and they is and are hereby required to receive and take into his or their Custody respectively, all and every Person or Persons who shall be committed or ordered to stand committed under or by virtue of this Act; and in case the Keeper or Keepers of the said Gaol or Prison respectively shall neglect or refuse to receive and take into his or their Custody any Person or Persons so committed, or shall before the Expiration of the Time for which any Person or Persons shall be committed to his or their Custody discharge such Person or Persons out of his or their Custody, or wilfully suffer such Person or Persons to go at large without a Warrant or Order for that Purpose in Writing, signed in Court by Five at least of the Commissioners of that Court under the Authority of which such Person or Persons was committed, such Keeper and Keepers respectively so offending in any of the said Cases, and being thereof convicted before any One or more of His Majesty's Justices of the Peace for the said Town and Port of *Sandwich*, upon the Oath of One or more credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby authorized and required to administer), or upon his or their own Confession, shall for every such Offence forfeit and pay any Sum not exceeding Ten Pounds, at the Discretion of the said Justice or Justices; and in case such Sum shall not be immediately paid by the Person or Persons so offending, into the Hands of the said Justice or Justices before whom such Offender or Offenders shall be convicted, then and in every such Case such Sum shall be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus, if any, to such Offender or Offenders after deducting the Costs and Charges of such Distress and Sale; and such Forfeiture, when so paid, levied, and recovered, shall be distributed amongst the Poor of the several Places within the Jurisdiction of the said Court by the Authority of which such Person or Persons who so escaped was or were Committed, in like Manner as the several other Fines and Penalties are by this Act directed to be distributed; and in case sufficient Distress shall not be found, it shall and may be lawful to and for such Justice or Justices to commit such Offender or Offenders to the common Gaol for the said Town and Port of *Sandwich*, for any Time not exceeding Six Calendar Months, unless such Penalty and Forfeiture, and all Costs and Charges attending such Conviction, be sooner paid and discharged.

Penalty on Keeper of Prison neglecting his Duty.

XXXII. And be it further enacted, That no Privilege shall be allowed to exempt any Person liable to be summoned by virtue of this Act from the Jurisdiction of either of the said respective Courts of Requests, on account of his being a Sworn Attorney or Solicitor, or other Officer of any of His Majesty's Courts of Record at *Westminster*, or of any other Court whatsoever; but that all such Attornies, Solicitors, and other Officers shall be subject

No Privilege to be allowed to Attornies.

subject to the several Processes, Orders, Judgments, and Executions of the said respective Courts of Requests, in the same Manner as any other Person or Persons is and are subject to the same.

No Attorney, Solicitor, or Scrivener or Practiser of the Law to be a Commissioner, or appear as an Advocate.

XXXIII. And be it further enacted, That no such Attorney, Solicitor, Scrivener, or any Person practising the Law, shall act as a Commissioner in the Execution of this Act, unless he be the Mayor or Town Clerk of the said Town and Port; nor shall any such Attorney, Solicitor, Scrivener, or other Person practising in the Law, be permitted to appear in either of the said respective Courts of Requests as an Attorney, Solicitor, or Advocate for or on Behalf of any Plaintiff or Defendant, or any other Person, or to be admitted to speak before the Commissioners of either of the said respective Courts, in any Cause, Action, or Matter in which such Attorney, Solicitor, or Scrivener is not himself a Party or Witness; and in case any Attorney, Solicitor, or Scrivener shall appear in the said respective Courts of Requests, or either of them, as an Attorney, Solicitor, or Advocate for or on Behalf of any Plaintiff or Defendant, or speak before the Commissioners of either of the said respective Courts in any Cause, Action, or Matter in which such Attorney, Solicitor, or Scrivener is not himself a Party or Witness, then and in every such Case such Attorney, Solicitor, or Scrivener so offending shall, for every such Offence, forfeit and pay any Sum not exceeding Ten Pounds nor less than Five Pounds, on being convicted thereof before any One or more of His Majesty's Justices of the Peace for the said Town and Port of *Sandwich* upon the Oath of One or more credible Witness or Witnesses (which Oath such Justice and Justices is and are hereby authorized and required to administer), or on his own Confession; and in case such Sum of Money shall not be paid forthwith by the Person so offending into the Hands of the said Justice or Justices before whom such Offender shall be convicted, then and in every such Case such Sum of Money shall be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal or Hands and Seals of such Justice or Justices, rendering the Overplus (if any) to such Offender, after deducting such Fine or Forfeiture, and the Costs and Charges of such Distress and Sale; and such Fine or Forfeiture, when so paid and levied or recovered, shall be distributed in like Manner as the several other Fines and Penalties are by this Act directed to be distributed; and in case a sufficient Distress shall not be found, it shall and may be lawful to and for such Justice or Justices to commit such Offender or Offenders to the Common Gaol of the said Town and Port of *Sandwich*, for any Time not exceeding Six Calendar Months nor less than Three Calendar Months, unless such Penalty and Forfeiture, and all Costs and Charges attending such Conviction, be sooner paid and discharged.

Fees to be taken.

XXXIV. And be it further enacted, That the several Fees herein-after limited and expressed, and no greater, shall be taken by the respective Clerks and Sergeants and other Officers in their respective Courts, for their several and respective Services in the Execution of this Act, for the Recovery of all Sums not exceeding Five Pounds, according to the Amount of the Sum recovered; (that is to say),

To



	Not exceeding Ten Shillings.		Not exceeding Forty Shillings.		Not exceeding Five Pounds.	
	s.	d.	s.	d.	s.	d.
<b>To the CLERK.</b>						
Entering every Cause	0	3	0	9	1	6
Issuing every Summons	0	3	0	6	0	9
Entering and drawing up the Judgment, Decree, or Order	0	6	0	9	1	6
Paying Money into Court, and entering same in his Book	0	3	0	6	0	9
Paying Money by Instalments	0	6	1	0	1	6
Issuing Subpcena	0	3	0	6	1	0
Issuing every Attachment, Precept, Order, or Execution	0	6	0	9	1	6
Acknowledging Satisfaction	0	3	0	6	0	9
For every Nonsuit	0	6	1	0	2	0
Every Search in the Book	0	2	0	3	0	6
Swearing every Witness, Plaintiff, or Defendant	0	2	0	4	0	6
<b>To the SERGEANT.</b>						
For calling every Cause	0	1	0	2	0	3
For calling every Plaintiff or Defendant	0	1	0	2	0	3
For every Hearing	0	2	0	3	0	4
For every Nonsuit	0	3	0	4	0	6
Serving every Summons, Order, or Subpcena, in the Town and Port of Sandwich, or Vill of Ramsgate	0	4	0	6	1	0
If out of the Town and Port of Sandwich, or Vill of Ramsgate, for every Mile extra	0	2	0	3	0	3
Execution of every Warrant, Precept, or Attachment against the Goods or Body, in the Town and Port of Sandwich, or Vill of Ramsgate	0	6	1	0	2	0
If out of the Town and Port of Sandwich, or Vill of Ramsgate, for every Mile extra	0	2	0	3	0	3
If an Assistant is necessary for the Sergeant, but not otherwise, for the Assistant in the Execution of every Warrant, Precept, or Attachment against Goods or Body, in the Town and Port of Sandwich, or Vill of Ramsgate	0	4	0	8	1	0
If out of the Town and Port of Sandwich, or Vill of Ramsgate, for every Mile extra	0	2	0	3	0	3

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

Penalty on Officers taking any greater Fees than those allowed by the Act.

XXXV. And be it further enacted, That if any Clerk or Sergeant, or any other Officer or Servant employed by the Commissioners of either of the said respective Courts in putting this Act or any of the Powers thereof in Execution, shall exact, take, or accept any greater Fee or Reward whatsoever than the Fees appointed and allowed to them respectively by virtue of this Act, for or on account of any thing done or to be done under or by virtue thereof, or on any account whatsoever relative to putting this Act into Execution, every Person so offending shall, for every such Offence, upon Conviction thereof on the Oath of any credible Witness or Witnesses, before any Three at least of such of the said respective Commissioners, under whom such Clerk, Sergeant, Officer, or Servant shall act, at any of their respective Meetings, forfeit and pay any Sum not exceeding Five Pounds; and such Penalty or Forfeiture shall and may be raised, levied, and recovered by such Ways and Means, and applied in Manner herein directed.

Time of Imprisonment of Debtors limited.

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

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

XXXVII. And, in order the more effectually to prevent Persons summoned for Debt to the said respective Courts 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 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 the Satisfaction of the Commissioners of such Courts respectively, upon the Oath of One or more credible Witness or Witnesses, that any such Debtor has any Money or Goods which he or she has wilfully or fraudulently concealed, then and

in every such Case it shall and may be lawful to and for the Commissioners of the said respective Courts to enlarge the aforesaid Time of Imprisonment of such Debtor to any Period in addition thereto, not exceeding Three Calendar Months.

XXXVIII. 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 either of the said respective Courts of Requests, 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, or either of them, shall be imprisoned the Time by this Act limited for and in respect of such First Execution; and after the Time so limited in the First Execution is expired the Imprisonment on the Second Execution shall commence; and after the Time so limited on the Second Execution is expired 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, or either of them, 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.

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

XXXIX. 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, Turnkey or Turnkeys of the said Gaol, or others, by way of Gaol Fees or Discharge Fees, or on any other Pretence whatsoever; and if any Keeper or Keepers, Turnkey or Turnkeys of the said Gaol, or any other Person or Persons whatsoever, shall demand, take, or receive any Fee or Fees, Sum or Sums of Money whatsoever, upon the Admission or Discharge, or during the Confinement of any such Person or Persons so committed to his or their Charge or Custody as aforesaid, or shall keep or detain any such Person or Persons a Prisoner or Prisoners after the Time by this Act limited for his, her, or their Imprisonment, every such Keeper, Turnkey, or other Person shall, for every such Offence, forfeit and pay any Sum not exceeding Twenty Pounds; and it shall and may be lawful to and for any Two Justices of the Peace for the said Town and Port of *Sandwich* to hear and determine every such Offence, and they are hereby authorized and required, upon any Information exhibited, or Complaint made before them of such Offence having been committed (in case such Information shall be exhibited or Complaint made within Three Calendar Months after the Offence committed) to summon the Party accused, and also the Witnesses on each Side, and to examine into the Matter of Fact, and upon due Proof made thereof by the Oath of One or more credible Witness or Witnesses, or by the voluntary Confession of the Party accused, to give Judgment or Sentence for such Penalty and Forfeiture aforesaid, and in case such Penalty or Forfeiture shall not be forthwith paid, to issue a Warrant under their Hands and Seals for levying such Penalty and Forfeiture by Distress and Sale of the Goods and Chattels of the Offender or Offenders, rendering the

Debtors not liable to pay Gaol Fees.

Penalty on Keepers, &c. taking them.

Justices may determine such Offence.

Overplus

Overplus (if any), after deducting such Penalty and Forfeiture, and the Costs and Charges of such Distress and Sale, to the Owner or Owners thereof; and in case sufficient Distress shall not be found, it shall and may be lawful to and for such Justices to commit such Offender or Offenders to the Common Gaol for the said Town and Port of *Sandwich*, for any Time not exceeding Three Calendar Months, unless such Penalty and Forfeiture, and all Costs and Charges attending such Conviction, be sooner paid and discharged; and one Moiety of such Penalty or Forfeiture shall be paid to the Person or Persons informing or suing for the same, and the other Moiety thereof to the Clerk of the Court out of which the original Commitment issued, and the said Moiety shall be by the Commissioners of the same Court distributed amongst the Poor of the several Places within the Jurisdiction thereof, in such Shares and Proportions as to such Commissioners shall seem right and proper.

Sergeants,  
&c. neglect-  
ing their  
Duty to pay  
the Debt and  
Costs.

**XL.** And be it further enacted, That if either of the Sergeants, or other Officers of the said respective Courts employed to serve any Execution, shall, by wilful Neglect, Omission, or Connivance, cause or suffer the Party against whom such Execution shall be awarded to escape or abscond, or the Goods of such Party to be carried away or secreted, so that such Execution shall not have effect, it shall and may be lawful to and for any Five or more of the said respective Commissioners, within their respective Jurisdictions, upon Complaint and due Proof thereof made upon the Oath or Oaths of One or more credible Witness or Witnesses, to order such Sergeant or other Officer to pay the Sum or Sums of Money for which such Execution was awarded, to the Party complaining, and to enforce the Payment thereof by the same Ways and Means as are herein provided for the Recovery of his, her, or their Debt or Debts; and it shall and may be lawful to and for any Five or more of the said Commissioners, in their respective Jurisdictions, and they are hereby enabled; according to the Nature of the Offence, over and above such Sum or Sums of Money, to impose any Fine not exceeding Five Pounds for every such Offence on such Sergeant or Sergeants, Officer or Officers; and such Fine, if not forthwith paid, shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of such respective Commissioners of the said respective Courts, rendering the Overplus (if any) after deducting such Fine, and the Costs and Charges of such Distress and Sale, to the Owner or Owners of such Goods and Chattels; and such Fine, when so levied and recovered, shall be paid to and distributed by the said respective Commissioners in such Shares and Proportions and in such Manner amongst the Poor of the several Places within their Jurisdiction, as they the said respective Commissioners may think fit and proper.

Clerk or  
Sergeant, &c.  
not perform-  
ing his Duty,  
may be  
suspended  
or removed.

**XLI.** And be it further enacted, That if any Clerk or Sergeant, or other Officer of the said respective Courts, shall be guilty of any wilful or contumacious Neglect or Misbehaviour, or otherwise wilfully and contumaciously misconduct himself in the Execution of his Office, then and in every such Case, upon Complaint made to the said respective Commissioners, it shall and may be lawful to and for the said respective Commissioners, and they are hereby empowered, in open Court to hear and enquire into the Matter of such Neglect, Misbehaviour, or Misconduct,  
on

on the Oath or Oaths of One or more credible Witness or Witnesses; and in case it shall appear to the said Commissioners, on such Hearing and Enquiry, that such Clerk or Sergeant, or other Officer, has been guilty of such Neglect, Misbehaviour, or Misconduct, it shall and may be lawful to and for the said respective Commissioners, and they are hereby empowered, to suspend or remove the said Clerk or Sergeant, or other Officer, so offending, from his said Office, and to nominate or appoint some other fit and able Person to exercise the said Office, in the Place and Stead of the Clerk or Sergeant, or other Officer, so suspended or removed.

XLII. And be it further enacted, That it shall and may be lawful from Time to Time and at all Times hereafter to and for any Plaintiff or Plaintiffs, Defendant or Defendants, in any Suit or Cause hereafter depending in either of 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 Court, either by serving a Subpœna or Subpœnas, Summons or Summonses, to be issued by the Clerk of such Court, and to be served by the Sergeant of the same, at least Four Days before the Day appointed for such Suit or Cause to be heard, personally, or by leaving the same 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 same Court 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 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 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-appearance 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 of this Act, then and in every such Case it shall and may be lawful to and for the said respective Commissioners, in their respective Courts, to impose any Fine, not exceeding Five 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 Five of the said respective Commissioners, according to their respective Jurisdictions, rendering the Overplus (if any) after deducting such Fine, and the Costs and Charges of such Distress and Sale, to the Owner or Owners of such Goods and Chattels; and 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,

Penalty on  
Witnesses  
not attending  
if summoned.

[Loc. & Per.]

6 R

Summons

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 Five or more of the said respective Commissioners, according to their respective Jurisdictions, to commit such Offender to the Common Gaol in and for the said Town and Port of *Sandwich*, for any Time not exceeding the Space of Three Calendar Months.

Punishment  
for Perjury.

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

For prevent-  
ing Insult  
being offered  
to the Court.

XLIV. And be it further enacted, That if any Person or Persons shall contemptuously and wilfully insult or abuse all or any of the said respective Commissioners, or any of the Officers of the said respective Courts for the Time being, during his or their Sitting or Attendance in the said respective Courts, or going to or from the said respective Courts; or shall interrupt or obstruct the Proceedings of the said respective Courts; then and in every such Case it shall and may be lawful to and for the respective Sergeants of the said respective Courts, with or without the Assistance of any other Person or Persons, by the Order of the said respective Commissioners; to take such Offender or Offenders into Custody, and the said respective Commissioners shall then examine into such Insult, Abuse, or Misbehaviour, either from their own View or Knowledge of what passed, or by the Oath or Oaths of One or more credible Witness or Witnesses, and upon such Insult, Abuse, or Misbehaviour being duly proved as aforesaid, it shall and may be lawful to and for the Commissioners of the said respective Courts, 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; and in case such Fine shall not be forthwith paid, the same shall and may be levied and recovered by Distress and Sale of the Goods and Chattels of such Offender or Offenders, by Warrant under the Hands and Seals of any Three or more of the respective Commissioners of the said respective Courts, rendering the Overplus (if any) after deducting such Fine, and the Costs and Charges of such Distress and Sale, to the Owner or Owners of such Goods and Chattels; and the said Fine, when so paid, levied, or recovered, shall be paid to and distributed by the respective Commissioners of such respective Courts, in such Shares and Proportions, and in such Manner, amongst the Poor of the Places within the Jurisdiction of their said respective Courts, as they the said respective Commissioners shall think fit and proper; and in case sufficient Distress shall not be found, it shall and may be lawful for any Three or more of the respective Commissioners of the said respective Courts, to commit such Offender or Offenders to the Common Gaol of the said Town and Port of *Sandwich*, for any Time not exceeding the Space of Three Calendar Months.

XLV. And

XLV. And be it further enacted, That if any Action or Suit for any Debt recoverable by virtue of this Act in either of the said respective Courts of Requests, shall be commenced in any other Court whatsoever, or elsewhere than in one of the said respective Courts of Requests, according to their respective Jurisdictions, then and in every such Case the Plaintiff or Plaintiffs in such Action or Suit shall not by reason of a Verdict for him, her, or them, or otherwise, have or be entitled to any Costs whatsoever; and if the Verdict shall be given for the Defendant or Defendants in such Action or Suit, and the Judge or Judges before whom the said Cause shall be tried or heard shall think fit to certify that such Debt ought to have been recovered in either of the said respective Courts of Requests, then and in every such Case the Defendant or Defendants shall have Double Costs, and such Remedy for recovering the same, as any Defendant or Defendants may have for his, her, or their Costs in any Cases by Law; and no Action or Suit which shall be commenced or prosecuted in the said respective Courts of Requests in pursuance of this Act, nor any Proceedings therein, shall or may be removed into any superior Court by Certiorari, or any other Writ or Process whatsoever, except by the Plaintiff or Plaintiffs, for the Purpose of enforcing and carrying into effect any Order, Decree, or Judgment, in Cases where the Defendant or Defendants shall have removed himself, herself, or themselves, or his, her, or their Effects, out of the Jurisdiction of the said respective Courts, after a Decree or Judgment, but every such Decree and Judgment shall be final and conclusive between the Parties, to all Intents and Purposes whatsoever: Provided always, that nothing herein contained shall extend, or be construed to extend, so as to prevent or restrain any Person from distraining for any Rent or Arrears thereof, although the same shall not exceed the Sum of Five Pounds.

Verdicts in other Courts for Debts recoverable in this not entitled to Costs; and if Verdict for Defendant he shall be entitled to Costs.

Nothing in the Act contained to prevent Persons from distraining for Rent.

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

Statute of Limitations may be pleaded.

XLVII. And be it further enacted, That all Penalties or Forfeitures by virtue of this Act imposed (the Manner of levying and recovering whereof is not hereby otherwise particularly directed) shall be levied and recovered by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of any Three or more of the said respective Commissioners (which Warrant such respective Commissioners are hereby empowered to grant), upon the Confession of the Party, or upon the Evidence of any credible Witness upon Oath; and the Overplus (if any) of the Money arising by such Distress and Sale shall be returned upon Demand to the Owner of such Goods and Chattels, after deducting such Fines and Penalties, and the Costs and Charges of making, keeping, and selling the Distress; and such Penalties and Forfeitures, when recovered (if not herein-before directed to be otherwise applied), shall be paid to the respective Clerks

Recovery and Application of Penalties.





Process whatsoever (except as aforesaid) for enforcing and carrying into effect any Order, Decree, or Judgment into any of His Majesty's Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in anywise notwithstanding.

LI. Provided always, and be it enacted, That no Action or Suit shall be brought or commenced against any Person or Persons for any thing done in pursuance of this Act, or on account of any Order, Determination, Judgment, or Decree of either of the said respective Commissioners, until Twenty-one Days Notice in Writing of such intended Action, signed by the Attorney for the Plaintiff or Plaintiffs, and specifying the particular Cause or Causes of such Action, shall have been given to the Person or Persons against whom such Action or Suit shall be intended to be brought, or after a sufficient Satisfaction or Tender of Amends hath been made to the Party or Parties aggrieved, or to his, her, or their Attorney, by or on the Behalf of the Person or Persons against whom such Action or Suit shall be intended to be brought, or unless such Action or Suit shall be commenced within Three Calendar Months next after the Fact committed; and every such Action or Suit shall be laid, brought, and tried in the County of *Kent*, and not elsewhere, and the Defendant or Defendants in every 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 the Court to have been so done, or if any such Action or Suit shall be brought before the Expiration of Twenty-one Days next after such Notice shall have been given as aforesaid, or after sufficient Satisfaction made or tendered as aforesaid, or after the Time limited for bringing the same as aforesaid, or shall be brought or tried in any other County or Place than in the County of *Kent* as aforesaid, then and in every such Case the Jury shall find for the Defendant or Defendants; and upon such Verdict, or if the Plaintiff shall be nonsuited, or discontinue his, her, or their Action or Suit after the Defendant or Defendants shall have appeared, or if, upon Demurrer, Judgment shall be given against such Plaintiff or Plaintiffs, then and in every such Case the Defendant or Defendants shall have Treble Costs, and have such Remedy for recovering the same as any Defendant or Defendants hath or have for Costs of Suit in any other Cases by Law.

Limitation of Actions.

LII. And be it further enacted, That no Plaintiff or Plaintiffs in any Action or Suit which shall be brought or commenced for any thing done in pursuance of this Act, shall be permitted to produce Evidence in any other Cause of Action than such as shall be set forth in the Notice to be given as aforesaid of the Cause of Action, or shall recover any Verdict against the Defendant or Defendants in such Action or Suit, unless such Plaintiff or Plaintiffs shall prove on the Trial that such Notice of the particular Cause of Action was duly given as aforesaid, and in Default of such Proof, the Defendant or Defendants shall recover a Verdict and Costs as before mentioned; and in case no Tender or no sufficient Tender of Amends shall have been made before such Action or Suit shall be commenced, it shall and may be lawful to and for the Defendant or Defendants in any such Action or Suit, by Leave of the Court after such Action or Suit shall have been brought, at any Time before Issue joined, to pay into Court such Sum of Money as he, she, or they shall think fit, whereupon such Proceedings,

Plaintiff not to produce Evidence of the Cause of Action other than what shall be specified in the Notice.

[*Loc. & Per.*]

6 §

Order,

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

Saving the Rights of the Court of Record of Sandwich.

LIII. And whereas the Mayor and Jurats, Justices of the Peace of and for the said Town and Port, are by Charter or Prescription fully enabled to hold a Court of Record in the Guildhall of the said Town and Port, at their own stated Times, for the Trial of all Civil Actions arising within the said Town and Port, and the Liberties and Precincts thereof; be it therefore enacted, That nothing in this Act contained shall extend to affect, lessen, or take away any of the Rights, Privileges, Franchises, Liberties, Powers, or Jurisdictions of the said Court of Record, but that the same, and all other the Rights and Privileges of the Mayor and Jurats of the said Town and Port, shall remain and continue in as full and ample Manner, to all Intents and Purposes, as if this Act had not been made.

Court not to interrupt or hinder the transacting the public Business of the Town in the Guildhall, &c.

LIV. Provided always, and be it further enacted, That nothing in this Act contained shall extend to prevent or hinder the holding of any Court or Courts of Justice, or transacting any other public Business of the said Town and Port within the said Guildhall, or any other Place or Places appointed or to be appointed within the said Town and Port for the holding of such Court or Courts of Justice, or transacting any public Business within the same.

Public Act.

LV. 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.

---

LONDON: Printed by GEORGE EYRE and ANDREW STRAHAN,  
Printers to the King's most Excellent Majesty. 1827.