ANNO QUARTO

GEORGII IV. REGIS.

Cap. cxxiii.

An Act to enlarge the Powers of and render more effectual certain Acts of the Twenty-second and Thirty-second Years of the Reign of His Majesty King *George* the Second, and the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, for the more easy and speedy Recovery of Small Debts within the Town and Borough of *Southwark*, and the several Parishes and Places in the said Acts mentioned, and to regulate the Fees payable to the Court thereby established. [4th *July* 1823.]

WHEREAS an Act was passed in the Twenty-second Year of the Reign of His Majesty King *George* the Second, intituled *An Act for the more easy and speedy Recovery of Small Debts within the Town and Borough of* Southwark, *and the several Parishes of* Saint Saviour, Saint Mary *at* Newington, Saint Mary Magdalen Bermondsey, Christ Church, Saint Mary Lambeth, *and* Saint Mary *at* Rotherhith, *in the County of* Surry, *and the several Precincts and Liberties of the same*: 22 G. 2. c. 47.

And whereas an Act was passed in the Thirty-second Year of the Reign of His said Majesty King *George* the Second, intituled *An Act to explain and amend an Act passed in the Twenty-second Year of His present Majesty's Reign, intituled 'An Act for the more easy and speedy Recovery of Small* 32 G. 2. c. 6.

'*Debts within the Town and Borough of* Southwark, *in the several Parishes* '*of* Saint Saviour, Saint Mary *at* Newington, Saint Mary Magdalen Ber- 'mondsey, Christ Church, Saint Mary Lambeth, *and* Saint Mary *at* 'Rotherhith, *in the County of* Surry, *and the several Precincts and Liber-* '*ties of the same ;' and for extending the Powers and Provisions of the said Act to such Part of the Eastern Half of the Hundred of* Brixton *in the said County as is not included in the said Act:* And whereas an Act was passed in the Forty-sixth Year of the Reign of His late Majesty King
46 G. 3. c. 87. *George* the Third, intituled *An Act to explain, amend, and render more effectual Two Acts passed in the Twenty-second and Thirty-second Years of His late Majesty, for the more easy and speedy Recovery of Small Debts within the Town and Borough of* Southwark, *and the several Parishes and Places in the said Acts mentioned:* And whereas certain Sums of Money have for many Years been accumulating from the Excess of Receipts of Cash from the Suitors of the said Court of Requests, established under or by virtue of the above-mentioned Acts, over or beyond the Payments made to the said Suitors, and such Excess now amounts to a large Sum, Part of which has been laid out in the Purchase of Stock, and other Part thereof is in the Hands of the Clerks of the said Court or one of them; and which Stock and Cash appears by the last yearly Audit of the Accounts of the said Court, held on the Twenty-seventh Day of *March* One thousand eight hundred and twenty-three for the Year ending on the First Day of *August* One thousand eight hundred and twenty-two, to be the Sum of One thousand five hundred and ninety-six Pounds Thirteen Shillings and Seven-pence Stock in the New Four Pounds *per Centum* Bank Annuities, formerly One thousand five hundred and twenty Pounds Thirteen Shillings Navy Five *per Cents*, then standing in the Books of the Governor and Company of the Bank of *England* in the Names of *David King*, *Henry Smith Speck*, and *John Gilbert Meymott*, the Two Clerks of the said Court, and *William Carless*, as Trustees; and of Eight hundred Pounds Stock in the Three Pounds *per Centum* Consolidated Bank Annuities standing in the Names of *Thomas Hartley*, *John Baker*, and *James Brand;* and of a Balance of floating Cash, then in the Hands of the Clerks of the said Court, of Five hundred and sixteen Pounds Nine Shillings and Five-pence; and of Twenty-three Pounds Two Shillings, a Balance in the Hands of the said Clerks on the Dividend Account for the said Sum of Eight hundred Pounds Three *per Cents:* And whereas in consequence of the great Increase of the Population of the District within the Jurisdiction of the Court of Requests, established by the said Acts, or some or one of them, and from other Causes, the Fees and Emoluments payable to the Chief Bailiff of *Southwark*, and the Two Clerks appointed by the Commissioners for carrying into execution the Powers of the said Acts, have increased to an Extent more than adequate to a proper Remuneration for the Duties imposed upon them respectively by the said Acts; and it is therefore expedient, for the Ease of the Suitors in the said Court, that Power should be given to lessen and regulate the same for the future, and also that the Powers and Provisions of the said Acts should be altered, amended, and enlarged in manner herein-after mentioned: May it therefore please Your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

That from and after the Second Day of *August* next ensuing the passing of this Act, an Account in Writing of all Fees and Emoluments whatsoever received or made by the said Chief Bailiff and Clerks respectively, distinguishing the Amount received or made by each of them, and also an Account of the Cash paid into Court, and taken out of the same by the Suitors, (so that the Surplus of Cash remaining in the Hands of the Clerks, and belonging to the said Suitors, at the End of each Year, may clearly appear,) shall be yearly and every Year, and within One Calendar Month from the Second Day of *August*, and made up to the First Day of *August* inclusive, in each Year, be given on Oath by the Chief Bailiff of *Southwark*, and the said Clerks respectively, and their Successors in the said Offices respectively for the Time being, before the Commissioners sitting in Court, or any Five of them, and which Oath they the said Commissioners, or any Five of them, are hereby empowered and required to administer; and such Accounts, so verified upon Oath, and made up to the said First Day of *August* in each Year, shall be left with and belong to the said Commissioners, and shall be filed by them, and be deemed public Documents or Records belonging to the said Court, and as such shall and may be given in Evidence by or on the Behalf of the said Commissioners or Suitors in any other Court or Place, and to which yearly Accounts the said Commissioners or any of them, or any Person authorized by them or any Seven of them, in Writing, shall have Access, and shall and may take Copies of or Extracts from, at any Time and from Time to Time during the usual Office Hours of the said Court; and if the Amount of the Fees and Emoluments taken or received by the said present Chief Bailiff or the said Clerks, for their Services respectively, in any one Year, shall exceed the Sum of Seven hundred and fifty Pounds to each of them, clear of and without Deduction for the Annuities payable to the Counsel of the Marshalsea Court by virtue of the herein-before mentioned Act of the Forty-sixth Year of the Reign of His Majesty King *George* the Third, and the usual and customary Salaries or Allowances to Sub-Clerks of the Court, and other Out-goings paid or incurred by the Clerks of the said Court, and to be allowed of by the said Commissioners or the major Part of them present at a General Meeting to be held and duly summoned for that Purpose, the Surplus or Excess of such Fees and Emoluments respectively, over and above the said Sum of Seven hundred and fifty Pounds, and such Payments and Allowances as aforesaid, shall by them the said Chief Bailiff and Clerks respectively, by Order of the said Commissioners at a General Meeting to be held and summoned as aforesaid, be from Time to Time paid or applied for the Purposes hereinafter mentioned or provided for; and then they the said Commissioners shall order and direct the said Fees and Emoluments, or such of them as they shall deem expedient, to be abolished or lessened and reduced, so as from Time to Time to bring in or produce yearly, after such Payments and Allowances as aforesaid, as near as may be, the said Sum of Seven hundred and fifty Pounds for each of them the said present Chief Bailiff and Clerks respectively, neither of whom shall on any Account or Pretence receive or appropriate any greater or larger Sum in any one Year for his own Benefit or Emolument, and when and as either of them the said present Chief Bailiff and Clerks shall by Death or otherwise cease to fill such Office, their or his Successors or Successor in such Office shall in no Case receive or be entitled to appropriate for his own Benefit or Emolument more than the clear Sum of Five hundred Pounds each, after such Deductions

Chief Bailiff and Clerks annually to account to Commissioners of the Court.

Application of Surplus.

tions being made as aforesaid, in any one Year; and upon the Appointment of any Successor to the said present Chief Bailiff or Clerks, or either of them respectively, it shall be lawful for the said Commissioners to order and direct that for the future the said Fees and Emoluments, or such of them as the said Commissioners shall deem expedient, be either abolished or lessened, or reduced, so as to bring in or produce, as near as may be, the said clear Sum of Five hundred Pounds yearly to or for each of the Successors to the said present Chief Bailiff and Clerks respectively, for his own Benefit and Emolument; and if at any Time after such Reduction or Abolition the Business of the said Court shall decline, so as not to bring in or produce the said respective Sums of Seven hundred and fifty Pounds to the present Chief Bailiff and Clerks respectively, or Five hundred Pounds to their respective Successors in the said Offices, it shall be lawful for the said Commissioners to increase or restore the Fees again, so as that they shall not nor do at any Time on any Account or Pretence exceed Two Thirds of the Fees set forth and allowed to be taken in and by the said recited Act of the Forty-sixth Year of the Reign of His said late Majesty by the said Bailiff and Clerks respectively.

No Alteration of Fees to be made but at a General Meeting.

II. Provided always, and it is hereby enacted, That no Alteration, either for the Abolition, Reduction, or Increase of the said Fees or any of them, shall be made but at a General Meeting of the Commissioners to be called together and holden as herein-after is mentioned.

Tables of Fees to be kept.

III. And it is hereby further enacted, That a Table of such reduced or increased Fees shall from Time to Time, when and so often as any Alteration shall take place therein, be affixed by the Clerks or one of them in some public and conspicuous Part of the Place or Court House where or in which the said Court shall be holden, in like Manner as is directed by the said recited Acts or either of them as to the Fees thereby allowed to be taken; and the like Penalty shall attach upon the Chief Bailiff for the Time being, and his Officers and the Clerks of the said Court respectively, if they or any of them shall take or demand any greater or other Fees than shall be specified in the said Table for the Time being, as is imposed by the said recited Act of the Forty-sixth Year of the Reign of His said late Majesty, and with the like Power or Means of Recovery.

Qualifications of Commissioners.

IV. And be it further enacted, That from and after the *Easter Tuesday* next after the passing of this Act no Person shall be capable of acting as a Commissioner in the Execution of any of the Powers or Authorities given by this present Act, or by either of the said recited Acts, until he shall have taken and subscribed an Oath to the Effect following; that is to say,

'I *A. B.* do swear, That I am possessed of, for my own Use and Benefit, 'of Estates or Property of the clear Amount or Value of not less than 'Two thousand Pounds, over and above all Incumbrances; and that I 'am rated to or for the Relief of the Poor of the Parish in which I 'reside, for Lands, Tenements, or Hereditaments in my own Tenure or 'Occupation, at not less than the Sum of Forty Pounds *per Annum*; and 'that I will faithfully, impartially, and honestly, according to the best of 'my Skill and Knowledge, execute the several Powers and Trusts re-'posed in me as a Commissioner of the Court of Requests in and for the

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'Town and Borough of *Southwark* and the Eastern Half of the Hundred 'of *Brixton* in the County of *Surrey*, conformably to the Directions, true 'Intent, and Meaning of an Act passed in the Twenty-second Year of 'the Reign of King *George* the Second, intituled *An Act for the more easy* 'and speedy Recovery of Small Debts within the Town and Borough of 'Southwark, *and the several Parishes of* Saint Saviour, Saint Mary *at* 'Newington, Saint Mary Magdalen Bermondsey, Christ Church, Saint 'Mary *at* Lambeth, *and* Saint Mary Rotherhithe, *in the County of* Surrey, 'and the several Precincts and Liberties of the same; and of an Act passed 'in the Thirty-second Year of the Reign of His said Majesty King *George* 'the Second, for explaining, amending, and extending the Powers and 'Provisions of the said first-mentioned Act; and of an Act passed in 'the Forty-sixth Year of the Reign of His late Majesty King *George* the 'Third, for explaining, amending, and rendering more effectual the said 'Two before-mentioned Acts of the Twenty-second and Thirty-second 'Years of King *George* the Second, and likewise for extending the 'Powers of the said Court of Requests; and of an Act of Parliament 'passed in the Fourth Year of the Reign of His Majesty King *George* the 'Fourth, intituled [*insert the Title of this Act*], or conformably to the 'Directions and true Intent and Meaning of such Part and Parts and so 'much of the same Four Acts of Parliament as are or is now in force, 'and that without Favour or Affection, Prejudice or Malice.

'So help me GOD.'

Which Oath shall be in lieu and stead of any Oath or Oaths mentioned or prescribed to be taken by a Commissioner in or by the said recited Acts or any or either of them; and which Oath herein-before contained, and hereby directed to be taken and subscribed, the Clerks of the said Court for the Time being, or One of them, or his or their sufficient Deputy or Deputies, are and is hereby empowered and required to administer; and they the said Commissioners shall and are hereby required, after taking the said Oath, to sign or subscribe their Names respectively upon a Roll or Rolls of Parchment to be provided for that Purpose, with the said Oath written or printed thereon; and such Roll and Rolls shall be carefully kept among the Records of the said Court.

Penalty on acting if not qualified.

V. And be it further enacted, That if any Person not being so qualified, or not having taken or subscribed such Oath as aforesaid, shall from and after the *Easter Tuesday* next after the passing of this Act act as a Commissioner in the Execution of the said recited Acts or this Act, every such Person shall for every such Offence forfeit and pay the Sum of One hundred Pounds to any Person or Persons who shall sue for the same, to be recovered in any of His Majesty's Courts of Record at *Westminster*, by Action of Debt or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager of Law, or more than One Imparlance, shall be allowed; and every such Person so sued shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, without any other Proof on the Part of the Plaintiff than that such Person had acted as a Commissioner in the Execution of the said recited Acts and this Act: Provided nevertheless, that all Proceedings of any Person acting as a Commissioner in the Execution of the said recited Acts and this Act (although not duly qualified as aforesaid), previously to his being

convicted of the said Offence, shall, notwithstanding such Conviction, be as good, valid, and effectual as if such Person had been qualified according to the Directions of this Act.

No Summons to be issued without a Deposit.

VI. And be it further enacted, That no Clerk, or his Deputy or other Officer, shall issue any Summons for the Appearance of any Defendant in the said Court, unless the Plaintiff shall, at the Time of the issuing out such Summons, deposit with the Clerks or Clerk of the said Court, for every Debt not exceeding Twenty Shillings, the Sum of Five Shillings; and for every Debt exceeding Twenty Shillings and not exceeding Forty Shillings, the Sum of Seven Shillings and Sixpence; and for every Debt exceeding Forty Shillings and not exceeding Sixty Shillings, the Sum of Ten Shillings; and for every Debt exceeding Sixty Shillings, the Sum of Twelve Shillings and Sixpence; and if upon the Day of the Return of any such Summons, or at any Continuation, 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, according to the Practice of the said Court, or appearing shall not make Proof of his, her, or their Demand to the Satisfaction of the said Court, but shall become nonsuited, or Judgment shall be pronounced against him, her, or them by the said Court, then and in every such Case it shall and may be lawful to and for the said Commissioners present in Court, and they are hereby required, to award to the Defendant or Defendants such Deposit Money by way of Costs and Satisfaction for his, her, or their Trouble and Attendance, together with such further Sum as they the said Commissioners in their Discretion shall think fit, and to order and compel the Plaintiff or Plaintiffs to pay such further Sum by such Ways and Means as any Debt or Debts ordered or decreed by the said Court can or may be recovered.

Attornies subject to the Jurisdiction of the Court.

VII. And be it further enacted, That no Person shall be exempt from the Jurisdiction of the said Court by reason of his being a sworn Attorney or Solicitor, or other Officer of any of His Majesty's Courts of Record at *Westminster*, or of any other Court whatsoever; but that all such Attornies, Solicitors, and other Officers shall be subject to the several Processes, Orders, Judgments, and Executions of the said Court, in the same Manner as any other Person or Persons is and are subject to the same.

Directing the Investment of Suitors Money in Government Securities.

VIII. And be it further enacted, That the said Commissioners shall and they are hereby required to lay out and invest, or to order and direct to be laid out and invested, all Sum and Sums of Money which have been or shall be paid into the said Court for or on account of the Suitors thereof or any of them, and which at each or any of such Periods of rendering Accounts thereof as herein-before mentioned shall appear to be in the Hands of the Clerks or either of them, when and as often as such Balance or Sum or Sums in the Hands of the Clerks or either of them shall exceed the Sum of One hundred Pounds, within Fourteen Days next after the same shall have been ascertained, in the Purchase of Three Pounds *per Centum* Consolidated Bank Annuities, or some other Parliamentary Funds or Government Security, in the joint Names of any Four Persons, to be from Time to Time chosen by the said Commissioners or the major Part of them at a General Meeting to be called as and in

manner herein-after mentioned; and if any Person or Persons, his, her, or their Executors or Administrators, entitled to any of the Money which shall be so laid out and invested, shall before the Expiration of Ten Years from the Time of the same having been paid into Court demand the same of the said Commissioners or any Five or more of them, when in Court, the said Commissioners or any Five or more of them shall and are hereby required to order the Money which shall be so demanded to be paid to the Person or Persons entitled to receive the same, immediately after such Demand shall be made; and if there shall not be Money enough then in the Hands of the Clerks or either of them to pay the same, the said Commissioners or any Five of them shall immediately make an Order on the said Trustees in whose Names the same shall have been invested or shall be then standing, to sell a Sum sufficient to pay the same; and the said Trustees shall and are hereby required, with all practicable Dispatch, to sell the same accordingly, and to pay the Produce or Amount over to the Clerks of the said Court, to be by them paid to such Claimant or Claimants, or to reimburse or repay the Sum or Sums which shall have been paid to him, her, or them out of the floating Cash in hand belonging to the other Suitors of the Court; and as to all such Sum and Sums of Money as have been paid into the said Court for or on account of the Suitors thereof, and now remaining in the Hands of the Clerks of the said Court, or invested in any of the Public Funds or Stocks in their or either of their Names, either alone or jointly with any Commissioner or Commissioners of the said Court, or other Person or Persons, as hereinbefore mentioned, and which shall have been so paid into the said Court for more than Ten Years now last past, the same and every of them and every Part thereof shall, from and after the Second Day of *August* next after the passing of this Act, be and become and shall be deemed and taken to be irreclaimable by the said Suitors respectively, and their respective Representatives, and also the Sum and Sums of Money which shall have been paid into Court within that Period, and all future Sum and Sums of Money which shall at any Time or Times hereafter be paid into the said Court on account of the Suitors, and which shall not be claimed by them and taken out of the said Court within the Space of Ten Years after the same shall be so paid in, and the Funds or Securities whereon the same may be invested shall likewise be and become and be deemed and taken to be irreclaimable by the said Suitors respectively or their Representatives; and all such Sums, together with all such surplus Fees, Interest, and Dividends as aforesaid, and the Stock or Funds in or upon which the same or any of them are, is, or shall or may be so invested as aforesaid, it is hereby enacted shall be forthwith paid over and transferred by the Clerks of the said Court, or their Representatives, or such other Person or Persons as may be interested therein, or in whose Names or Name the same or any Part thereof are or is now respectively invested and standing upon any Trusts or Trust respecting the same, to and into the Names of the Trustees to be chosen as herein mentioned, and the same shall and may from Time to Time after such respective Periods as aforesaid, and after Payment of the Expences attending the obtaining of this Act, in manner herein-after mentioned, be sold and disposed, paid and applied by Order of the said Commissioners, or the major Part of them assembled at any General Meeting, for and towards Payment and Satisfaction of the Expences attending the Court House and Offices, and

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in insuring and keeping the same in repair, and in defraying and paying all Rent, Taxes, and other Expences attending the same, or for such other Purposes relating to the said Court, or for the Ease of the Suitors thereof, in such Manner as the said Commissioners or the major Part of them so assembled shall from Time to Time deem advisable, necessary, and proper.

Appointment of new Trustees.

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

Notice of Meetings.

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

Removing Doubts as to what Prison Debtors may be committed.

XI. And for the Removal of all Doubts in respect to the Prisons in which Debtors shall be confined, be it further enacted, That from and after the said Second Day of *August* next ensuing all Debtors arrested or taken in Execution under or by virtue of the said recited Acts and this Act, or any of them, whose Residence shall be within the Eastern Half Hundred

Hundred of *Brixton*, shall be committed to or confined in the County Gaol or some other Prison in the County of *Surrey*, exclusive of the Prisons in and belonging to the Town and Borough of *Southwark*; and that all Debtors arrested or taken in Execution, whose Residence shall be within the Town and Borough of *Southwark*, shall be committed to or confined in the Borough Compter, or some other Prison within and belonging to the Town and Borough of *Southwark*.

Commissioners not to determine Titles, &c.

XII. Provided always, and be it further enacted, That nothing in this Act or any or either of the said recited Acts contained shall extend or be construed to extend so as to enable the said Commissioners to determine the Right or Title to any Lands, Tenements, or Hereditaments, or Real Estates whatsoever, or to judge, determine, or decide on any Debt where the Title of the Freehold or Lease for Years of any Lands, Tenements, or Hereditaments, or of any Chattels Real whatsoever, shall be brought or come into question, or on any Debt for any Sum being the Balance of an Account or Demand originally exceeding Five Pounds, or to judge, determine, or decide on any Debt that shall arise by reason of the Occupation of Lands, Tenements, or Hereditaments situate elsewhere than within the Jurisdiction of the said Court of Requests, or any of them, or by reason of any Cause concerning any Will or Testament, or Matrimony, or any thing concerning or properly belonging to the Ecclesiastical Court, or for or by reason of any Agreement by way of Composition for or by way of Retainer of Tithes.

Act not to extend to Wages of certain Servants. 20 G. 2. c. 19.

XIII. And whereas by an Act made in the Twentieth Year of the Reign of His said Majesty King *George* the Second, intituled *An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants and Apprentices*, it is enacted that all Complaints, Differences, and Disputes which should arise between the Masters or Mistresses and Servants in Husbandry who should be hired for One Year or longer, or which should happen or arise between Masters or Mistresses, Artificers, Handicraftsmen, Miners, Colliers, Keelmen, Pitmen, Glassmen, Potters, and other Labourers employed for any certain Time or in any other Manner, should be heard or determined by One or more Justice or Justices of the Peace for the Place where such Master or Mistress should inhabit, and by one other Act made in the Thirty-first Year of the Reign of His Majesty King *George* the Second, intituled *An Act to amend an Act made in the Third Year of the Reign of King* William *and Queen* Mary, *intituled* '*An Act for the better Explanation and supplying the Defects of the former Laws for the Settlement of the Poor, so far as the same relates to Apprentices gaining a Settlement by Indentures, and also to empower Justices of the Peace to determine Differences between Masters and Mistresses and their Servants in Husbandry touching their Wages, though such Servants are hired for a less Time than a Year;*' it is enacted, that all and every Clause, Matter, and Thing in the said recited Act contained shall be deemed and construed to extend to all Servants employed in Husbandry, though hired for a less Time than One Year: Provided therefore, and be it further enacted, That nothing in this Act contained shall extend or be construed to extend so as to enable the said Commissioners to hear or determine any such Complaint, Difference, or Dispute, but all such Complaints, Difference, and Disputes shall be

31 G. 2. c. 11.

heard and determined in such and the like Manner, by such Justice or Justices, as if this Act and the said recited Act had not been made; any thing herein contained to the contrary thereof in anywise notwithstanding.

Sections 6 and 16, in 22 G. 2. c. 47. as to Actions prosecuted out of the Court of Requests for Debts not amounting to 40*s.*, and as to Actions in respect of Rent or Contract, &c. repealed.

XIV. And whereas it is in and by the said Act of the Twenty-second Year of the Reign of His Majesty King *George* the Second enacted, that if any Action of Debt or Action on the Case upon an Assumpsit for the Recovery of any Debt, to be sued or prosecuted against any Person or Persons aforesaid, in any of the King's Courts at *Westminster*, or elsewhere out of the said Court of Requests, it shall appear to the Judge or Judges of the Court where such Action shall be sued or prosecuted that the Debt to be recovered by the Plaintiff in such Action doth not amount to the Sum of Forty Shillings, and the Defendant in such Action shall duly prove by sufficient Testimony, to be allowed by any of the Judge or Judges of the said Court where such Action shall depend, that at the Time of commencing such Action such Defendant was inhabiting and resident within the said Town and Borough of *Southwark*, or any of the Parishes, Limits, and Precincts aforesaid in the County of *Surrey*, and was liable to be warned or summoned before the said Court of Requests for such Debt, then and in such Case the said Judge or Judges shall not allow to the said Plaintiff any Costs of Suit, but shall award that the said Plaintiff shall pay so much ordinary Costs to the Party Defendant as such Defendant shall justly prove before the said Judge or Judges it has truly cost him in the Defence of the said Suit: And whereas it is in and by the same Act enacted or provided, that this Act or any thing herein contained shall not extend to any Debt for any Rent upon any Lease of Lands or Tenements, or any other real Contracts, nor to any other Debt that shall arise by reason of any Cause concerning Testament or Matrimony, or any thing concerning or properly belonging to the Ecclesiastical Court, albeit the same shall be under Forty Shillings; any thing before contained to the contrary in anywise notwithstanding: And whereas it is expedient that so much of the said recited Act should be repealed; be it therefore enacted, That so much of the said last-mentioned Act shall be and the same is hereby repealed and made null and void.

Part of s. 6, 46 G. 3. c. 87. as to removing Proceedings by Certiorari, repealed.

XV. And whereas it is expedient that so much and such Part of the said recited Act of the Forty-sixth Year of the Reign of His late Majesty King *George* the Third as enacts that no Orders, Decrees, Judgments, or Proceedings, as therein-before mentioned, shall be removed or removable into any other Court by Certiorari or otherwise howsoever, should be repealed; be it therefore enacted, That the same shall be and is hereby declared to be null and void to all Intents and Purposes whatsoever.

13th sec. 46 G. 3. c. 87. as to Debts not exceeding 5*l.* which should be recovered in Court of Requests, repealed.

XVI. And whereas it is expedient that so much of the said last-mentioned Act as declares that if any Action or Suit shall be commenced in any of His Majesty's Courts of Record at *Westminster* for any Debt not exceeding the Sum of Five Pounds, and recoverable by virtue of the said therein-recited Acts and of that Act, or any or either of them, in the said Court of Requests, 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 same shall be tried or heard shall think fit to certify that such Debt ought to have been recovered in the said Court of Requests, then and so often such Defendant or Defendants shall have Double Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants may have for his, her, or their Costs in any Cases by Law, should be repealed; be it therefore hereby further enacted, That so much of the said last-mentioned Act shall be and the same is hereby repealed and made null and void to all Intents and Purposes whatsoever.

Expences of Act.

XVII. Provided also, and it is hereby enacted, That as well the Cash in Court which shall have been or may be unclaimed for the Periods herein-before mentioned, and all the Stocks, Funds, or Securities in or upon which the same or any Part thereof already hath been or hereafter shall or may be invested, and all Interest and Dividends for the same, and the surplus Fees and other Sum and Sums of Money which may be raised under the Authority of this Act, shall in the first place be subject to pay and satisfy all Fees, Charges, and Expences incident to and attendant on the obtaining and passing of this Act, or otherwise relating thereto, and the said Commissioners and Trustees are hereby directed and required thereout in the first place to pay and satisfy the same accordingly.

Extending Provisions of former Act to the present Act.

XVIII. Provided also, and it is hereby further enacted, That the Three first herein-before mentioned or recited Acts of the Twenty-second and Thirty-second Years of the Reign of His said Majesty King *George* the Second, and the Forty-sixth Year of the Reign of His late Majesty King *George* the Third, and all Enactments, Powers, Provisoes, Clauses, Matters, and Things therein respectively contained, shall, so far as the same or any of them are not by this Act repealed, altered, varied, or otherwise provided for, and are not inconsistent with any of the Provisions of this present Act, remain, continue, and be in full Force and Effect, and shall extend and be applicable to all Matters, and all and every Person and Persons, to whom this Act doth or shall extend or be applicable, in such and the same Manner, and as fully and effectually, as if the same were in this Act repeated and re-enacted.

Punishing Persons giving false Evidence.

XIX. And be it further enacted, That if any Person or Persons shall wilfully and corruptly give false Evidence in any Examination, Trial, or Inquiry, or other Matter or Thing to be heard or determined by virtue of this Act, or where, in pursuance of this Act, any Oath or Affirmation is required to be taken, each and every such Person or Persons so offending, and being thereof duly convicted, shall be, and he, she, and they is and are hereby declared to be subject and liable to such Pains and Penalties as Persons guilty of wilful and corrupt Perjury are by Law subject or liable to.

Trustees deemed competent Witnesses.

XX. And be it further enacted, That no Commissioner or Trustee acting under this Act or any of the said recited Acts shall, in any Action, Proceeding, Information, Cause, Hearing, Examination, or other Proceeding whatsoever relating to or concerning the Execution of this Act or the said recited Acts, or any of the Powers therein contained, be deemed an incompetent Witness by reason of his being such Commissioner or Trustee,

Trustee, save and except in such Cases where he shall be personally interested.

Public Act.

XXI. 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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