ANNO PRIMO & SECUNDO

GULIELMI IV. REGIS.

****

C A P. XXXVII.

An Act to prohibit the Payment, in certain Trades, of Wages in Goods, or otherwise than in the current Coin of the Realm. [15th *October* 1831.]

WHEREAS it is necessary to prohibit the Payment, in certain Trades, of Wages in Goods, or otherwise than in the current Coin of the Realm; be it therefore 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 in all Contracts hereafter to be made for the hiring of any Artificer in any of the Trades herein-after enumerated, or for the Performance by any Artificer of any Labour in any of the said Trades, the Wages of such Artificer shall be made payable in the current Coin of this Realm only, and not otherwise; and that if in any such Contract the Whole or any Part of such Wages shall be made payable in any Manner other than in the current Coin aforesaid, such Contract shall be and is hereby declared illegal, null, and void.

Contracts for the hiring of Artificers must be made in the current Coin of the Realm;

II. And be it further enacted, That if in any Contract hereafter to be made between any Artificer in any of the Trades herein-after enumerated, and his Employer, any Provision shall be made directly or indirectly respecting the Place where, or the Manner in which, or the Person or Persons with whom, the Whole or any Part of the Wages due or to become due to any such Artificer shall be laid out or expended, such Contract shall be and is hereby declared illegal, null, and void.

and must not contain any Stipulations as to the Manner in which the Wages shall be expended.

III. And

All Wages must be paid to the Workman in Coin.

Payment in Goods declared illegal.

III. And be it further enacted, That the entire Amount of the Wages earned by or payable to any Artificer in any of the Trades herein-after enumerated, in respect of any Labour by him done in any such Trade, shall be actually paid to such Artificer in the current Coin of this Realm, and not otherwise; and every Payment made to any such Artificer by his Employer, of or in respect of any such Wages, by the delivering to him of Goods, or otherwise than in the current Coin aforesaid, except as herein-after mentioned, shall be and is hereby declared illegal, null, and void.

Artificers may recover Wages, if not paid in the current Coin.

IV. And be it further enacted, That every Artificer in any of the Trades herein-after enumerated shall be entitled to recover from his Employer in any such Trade, in the Manner by Law provided for the Recovery of Servants Wages, or by any other lawful Ways and Means, the Whole or so much of the Wages earned by such Artificer in such Trade as shall not have been actually paid to him by such his Employer in the current Coin of this Realm.

In an Action brought for Wages no Set-off shall be allowed for Goods supplied by the Employer, or by any Shop in which the Employer is interested.

V. And be it further enacted, That in any Action, Suit, or other Proceeding to be hereafter brought or commenced by any such Artificer as aforesaid, against his Employer, for the Recovery of any Sum of Money due to any such Artificer as the Wages of his Labour in any of the Trades herein-after enumerated, the Defendant shall not be allowed to make any Set-off, nor to claim any Reduction of the Plaintiff's Demand, by reason or in respect of any Goods, Wares, or Merchandize had or received by the Plaintiff as or on account of his Wages or in Reward for his Labour, or by reason or in respect of any Goods, Wares, or Merchandize sold, delivered, or supplied to such Artificer at any Shop or Warehouse kept by or belonging to such Employer, or in the Profits of which such Employer shall have any Share or Interest.

No Employer shall have any Action against his Artificer for Goods supplied to him on account of Wages.

VI. And be it further enacted, That no Employer of any Artificer in any of the Trades herein-after enumerated shall have or be entitled to maintain any Suit or Action in any Court of Law or Equity against any such Artificer, for or in respect of any Goods, Wares, or Merchandize sold, delivered, or supplied to any such Artificer by any such Employer, whilst in his Employment, as or on account of his Wages or Reward for his Labour, or for or in respect of any Goods, Wares, or Merchandize sold, delivered, or supplied to such Artificer at any Shop or Warehouse kept by or belonging to such Employer, or in the Profits of which such Employer shall have any Share or Interest.

If the Artificer or his Wife or Children become chargeable to the Parish, the Overseers may recover any Wages earned within the Three

VII. And be it further enacted, That if any such Artificer as aforesaid, or his Wife or Widow, or if any Child of any such Artificer, not being of the full Age of Twenty-one Years, shall become chargeable to any Parish or Place, and if within the Space of Three Calendar Months next before the Time when any such Charge shall be incurred such Artificer shall have earned or have become entitled to receive any Wages for any Labour by him done in any of the said Trades, which Wages shall not have been paid to such Artificer in the current Coin of this Realm, it shall be lawful for the Overseers

or Overseer of the Poor in such Parish or Place to recover from the Employer of such Artificer in whose Service such Labour was done the full Amount of Wages so unpaid, and to proceed for the Recovery thereof by all such Ways and Means as such Artificer himself might have proceeded for that Purpose; and the Amount of the Wages which may be so recovered shall be applied in reimbursing such Parish or Place all Costs and Charges incurred in respect of the Person or Persons to become chargeable, and the Surplus shall be applied and paid over to such Person or Persons.

preceding Months, and not paid in Cash.

VIII. Provided always, and be it further enacted, That nothing herein contained shall be construed to prevent or to render invalid any Contract for the Payment, or any actual Payment, to any such Artificer as aforesaid, of the Whole or any Part of his Wages, either in the Notes of the Governor and Company of the Bank of *England*, or in the Notes of any Person or Persons carrying on the Business of a Banker, and duly licensed to issue such Notes in pursuance of the Laws relating to His Majesty's Revenue of Stamps, or in Drafts or Orders for the Payment of Money to the Bearer on Demand, drawn upon any Person or Persons carrying on the Business of a Banker, being duly licensed as aforesaid, within Fifteen Miles of the Place where such Drafts or Orders shall be so paid, if such Artificer shall be freely consenting to receive such Drafts or Orders as aforesaid, but all Payments so made with such Consent as aforesaid, in any such Notes, Drafts, or Orders as aforesaid, shall for the Purposes of this Act be as valid and effectual as if such Payments had been made in the current Coin of the Realm.

Not to invalidate the Payment of Wages in Bank Notes, if Artificer consents.

IX. And be it further enacted, That any Employer of any Artificer in any of the Trades herein-after enumerated, who shall, by himself or by the Agency of any other Person or Persons, directly or indirectly enter into any Contract or make any Payment hereby declared illegal, shall for the First Offence forfeit a Sum not exceeding Ten Pounds nor less than Five Pounds, and for the Second Offence any Sum not exceeding Twenty Pounds nor less than Ten Pounds, and in case of a Third Offence any such Employer shall be and be deemed guilty of a Misdemeanor, and, being thereof convicted, shall be punished by Fine only, at the Discretion of the Court, so that the Fines shall not in any Case exceed the Sum of One hundred Pounds.

Penalties on Employers entering into Contracts hereby declared illegal.

X. And be it further enacted, That all Offences committed against this Act, and not herein-before declared a Misdemeanor, shall be enquired of and determined, and that all Fines and Penalties for such Offences shall be sued for and recovered by any Person or Persons who shall sue for the same, before any Two Justices of the Peace having Jurisdiction within the County, Riding, City, or Place in which the Offence shall have been committed; and that the Amount of the Fines, Penalties, and other Punishments to be inflicted upon any such Offenders shall, within the Limits herein-before prescribed, be in the Discretion of such Justices, or, in Cases of Misdemeanor, of the Court before which the Offence may be tried; and in case of a Second Offence against this Act, it shall be sufficient Evidence of the

Penalties how to be recovered.

Second Offence.

the previous Conviction and Offence, if a Certificate, signed by the Clerk of the Peace or other Officer having the Custody of the Record of such previous Conviction, shall be produced before the said Justices enquiring of such Second Offence, in which Certificate shall be stated in a compendious Form the general Nature of the Offence for which such previous Conviction was had, and the Date of such previous Conviction; and so, in like Manner, upon the Trial of any Indictment or Information for any such Misdemeanor as aforesaid, it shall be sufficient Evidence of such Second Conviction for a like Offence if a Certificate thereof, signed by the Clerk of the Peace or other Officer having the Custody of the Record of such Second Conviction, in such Form as aforesaid, be produced to the Court and Jury: Provided always, that no Person shall be punished as for a Second Offence under this Act unless Ten Days at the least shall have intervened between the Conviction of such Person for the First and the Conviction by such Person of the Second Offence, but each separate Offence committed by any such Person before the Expiration of the said Term of Ten Days shall be punishable by a separate Penalty, as though the same were a First Offence; and that no Person shall be punished as for a Third Offence under this Act, unless Ten Days at the least shall have intervened between the Conviction of such Person for the Second and the Conviction by such Person of the Third Offence; but each separate Offence committed by any such Person before the Expiration of the said Term of Ten Days shall be punishable by a separate Penalty, as though the same were a Second Offence; and that the Fourth or any subsequent Offence which may be committed by any such Person against this Act shall be enquired of, tried, and punished in the Manner hereinbefore provided in respect of any Third Offence; and that if the Person or Persons preferring any such Information shall not be able or shall not see fit to produce Evidence of any such previous Conviction or Convictions as aforesaid, any such Offender as aforesaid shall be punished for each separate Offence by him committed against the Provisions of this Act by an equal Number of distinct and separate Penalties, as though each of such Offences were a First or a Second Offence, as the Case may be; and that no Person shall be proceeded against or punished as for a Second or as for a Third Offence at the Distance of more than Two Years from the Commission of the next preceding Offence.

Proviso.

Justices may compel the Attendance of Witnesses.

XI. And be it further enacted, That it shall be lawful for any One Justice of the Peace, in all Cases where any Information or Complaint shall be made as aforesaid, and he is hereby authorized and required, at the Request in Writing of any of the Parties to the said Complaint, and on the Oath of the Informer or Complainant, or of the Person informed or complained against, that he believes that the Attendance of any Person or Persons as a Witness or Witnesses will be material to the Hearing of such Information, to issue his Summons to any such Person or Persons, Witness or Witnesses, to appear and give Evidence on Oath before himself and such other Justice or Justices as shall hear and determine such Information or Complaint, the Time and Place of hearing and determining the same being specified in the said Summons; and if

any

any Person or Persons so summoned shall not appear before the said last-mentioned Justices at the Time or Place so specified in the said Summons, and shall not offer any reasonable Excuse for the Default, to the Satisfaction of the said last-mentioned Justices, or appearing according to the Directions of the said Summons shall not submit to be examined as a Witness or Witnesses, then and in every such Case it shall be lawful for such last-mentioned Justices, and they are hereby authorized, (Proof on Oath, in the Case of any Person not appearing according to such Summons, having been first made before such last-mentioned Justices of the due Service of such Summons on every such Person, by delivering the same to him or to her, or by leaving the same at the usual Place of Abode of such Person, Twenty-four Hours at the least before the Time appointed for such Person to appear before such last-mentioned Justices,) by Warrant under the Hands and Seals of such last-mentioned Justices to commit such Person or Persons so making Default in appearing, or appearing and refusing to give Evidence, to some Prison within the Jurisdiction of the said Justices, there to remain without Bail or Mainprize for any Time not exceeding Fourteen Days, or until such Person or Persons shall submit to be examined and give Evidence.

Power to levy Penalties by Distress.

XII. And be it further enacted, That all Justices of the Peace shall and are hereby empowered, on the Conviction of any Person or Persons for any Offence against this Act, in default of Payment of any Penalty or Forfeiture, together with the reasonable Costs and Charges attending such Conviction, to cause the same to be levied by Distress and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant or Warrants under the Hands and Seals of such Justices, together with the reasonable Costs of such Distress and Sale; and in case it shall appear to the Satisfaction of such Justices, either by the Confession of the Offender or Offenders or by the Oath of One or more credible Witness or Witnesses, that he, she, or they hath not or have not Goods and Chattels within the Jurisdiction of such Justices sufficient whereon to levy all such Penalties and Forfeitures, Costs and Charges, such Justices may, without issuing any Warrant of Distress, commit the Offender or Offenders to the Common Gaol for Three Calendar Months (unless the same be sooner paid), in such Manner as if a Warrant of Distress had been issued, and a Return of Nulla bona made thereon.

A Partner not to be liable in Person for the Offence of his Copartner, but the Partnership Property to be so liable.

XIII. And be it further enacted, That no Person shall be liable to be convicted of any Offence against this Act committed by his or her Copartner in Trade, and without his or her Knowledge, Privity, or Consent; but it shall be lawful, when any Penalty, or any Sum for Wages, or any other Sum, is ordered to be paid, under the Authority of this Act, and the Person or Persons ordered to pay the same shall neglect or refuse to do so, to levy the same by Distress and Sale of any Goods belonging to any Copartnership Concern or Business in the carrying on of which such Charges may have become due or such Offence may have been committed; and in all Proceedings under this Act to recover any Sum due for Wages it shall be lawful in all Cases of Copartnership for the Justices, at the Hearing of any Complaint for the Nonpayment thereof, to make an Order upon any One or

more Copartners for the Payment of the Sum appearing to be due; and in such Case the Service of a Copy of any Summons or other Process, or of any Order, upon One or more of such Copartners, shall be deemed to be a sufficient Service upon all.

How Summonses are to be served.

XIV. And it is declared and enacted, That in all Cases it shall be deemed and taken to be sufficient Service of any Summons to be issued against any Offender or Offenders by any Justice or Justices of the Peace, under the Authority of this Act, if a Duplicate or true Copy of the same be left at or upon the Place used or occupied by such Offender or Offenders for carrying on his, her, or their Trade or Business, or at the Place of Residence of any such Offender or Offenders, being at or upon any such Place as aforesaid, the same being directed to such Offender or Offenders by his, her, or their right or assumed Name or Names.

Form of Conviction, &c.

XV. And be it further enacted, That the Justices before whom any Person shall be convicted of any Offence against this Act, or by whom any Person shall be committed to the Common Gaol, in default of a sufficient Distress, or for not appearing as a Witness or not submitting to be examined, shall cause all such Convictions, and the Summonses for the Attendance of Witnesses, and the Warrants or Orders for such Commitments, and the Warrant or Order for any such Distress, to be drawn up in the Form or to the Effect set forth in the Schedule to this Act annexed, with such Additions or Variations as may be necessary for adapting the same to the particular Circumstances of the Case.

Justices to return Convictions to the Clerk of the Peace, who is to deliver Copies to Persons applying.

XVI. And be it further enacted, That the Justices before whom any Conviction shall be had under this Act shall cause the same to be returned to the next General or Quarter Sessions of the Peace holden for the County or Place wherein the Offence shall have been committed, and the same shall then and there be delivered to the Clerk of the Peace, or other Person acting as such, to be by him filed among the Records of the said Court; and such Clerk of the Peace, or other Person acting as such, is hereby required, on the Tender and Payment to him of the Sum of One Shilling, to grant to any Person or Persons, on Demand, a Copy of any such Conviction, with a Certificate thereupon indorsed or thereunto annexed, that the same is a true and accurate Copy of the original Conviction returned to such General or Quarter Sessions as aforesaid.

Convictions not to be quashed for Want of Form.

XVII. And be it further enacted, That no Conviction, Order, or Adjudication made by any Justices of the Peace under the Provisions of this Act shall be quashed for Want of Form, nor be removed by Certiorari or otherwise into any of His Majesty's superior Courts of Record; and no Warrant of Distress, or of Commitments in default of sufficient Distress, shall be held void by reason of any Defect therein, provided it be therein alleged that the Party has been convicted, and there be a good and valid Conviction to sustain the same.

XVIII. And

Application of Penalties.

XVIII. And be it further enacted, That out of any Penalty or Forfeiture incurred by any Offence committed against this Act it shall be lawful for the Court or Justices imposing the same to award any Sum to the Informer, not exceeding in any Case the Sum of Twenty Pounds; and the rest of any such pecuniary Penalty or Forfeiture shall go to the Treasurer of the County in which the Offence shall be committed, in aid of the Rates of such County: Provided always, that every Proceeding whatsoever for any Offence against this Act shall be commenced within Three Calendar Months after such Offence shall have been committed.

Specification of the Trades to which the Act is to apply.

XIX. And be it further enacted, That nothing herein contained shall extend to any Artificer, Workman, or Labourer, or other Person engaged or employed in any Manufacture, Trade, or Occupation, excepting only Artificers, Workmen, Labourers, and other Persons employed in the several Manufactures, Trades, and Occupations following; (that is to say,) in or about the making, casting, converting, or manufacturing of Iron or Steel, or any Parts, Branches, or Processes thereof; or in or about the working or getting of any Mines of Coal, Ironstone, Limestone, Salt Rock; or in or about the working or getting of Stone, Slate, or Clay; or in the making or preparing of Salt, Bricks, Tiles, or Quarries; or in or about the making or manufacturing of any Kinds of Nails, Chains, Rivets, Anvils, Vices, Spades, Shovels, Screws, Keys, Locks, Bolts, Hinges, or any other Articles or Hardwares made of Iron or Steel, or of Iron and Steel combined, or of any plated Articles of Cutlery, or of any Goods or Wares made of Brass, Tin, Lead, Pewter, or other Metal, or of any japanned Goods or Wares whatsoever; or in or about the making, spinning, throwing, twisting, doubling, winding, weaving, combing, knitting, bleaching, dyeing, printing, or otherwise preparing of any Kinds of Woollen, Worsted, Yarn, Stuff, Jersey, Linen, Fustian, Cloth, Serge, Cotton, Leather, Fur, Hemp, Flax, Mohair, or Silk Manufactures whatsoever, or in or about any Manufactures whatsoever made of the said last-mentioned Materials, whether the same be or be not mixed one with another; or in or about the making or otherwise preparing, ornamenting, or finishing of any Glass, Porcelain, China, or Earthenware whatsoever, or any Parts, Branches, or Processes thereof, or any Materials used in any of such last-mentioned Trades or Employments; or in or about the making or preparing of Bone, Thread, Silk, or Cotton Lace, or of Lace made of any mixed Materials.

Domestics.

XX. And be it further enacted, That nothing herein contained shall extend to any Domestic Servant or Servant in Husbandry.

Certain Persons not to act as Justices.

XXI. And be it further enacted, That no Justice of the Peace, being a Person also engaged in any of the Trades or Occupations enumerated in this Act, or the Father, Son, or Brother of any such Person, shall act as a Justice of the Peace under this Act.

County Magistrates to act in Cases where those of Towns,

XXII. And be it further enacted, That in all Cities, Boroughs, or Corporate Towns, where the Magistrates for the Time being are disqualified by the foregoing Clause from administering this Act, then and

&c. are disqualified as above.

and in every such Case, and so often as the same shall happen, it shall be lawful for the Magistrates of the County in which the Offence may be committed (and not disqualified as aforesaid) to administer, and they are hereby authorized and empowered to hear, examine, and determine any Offences committed against this Act, in any such Cities, Boroughs, or Corporate Towns; and it shall be lawful for the Complainant to remove the Cases of Information or Complaint from the said Cities, Boroughs, or Corporate Towns to any other Court of Session or Petty Session not exceeding Twelve Miles from the Place where the Offence shall have been committed; any Law, Charter, Usage, or Custom to the contrary notwithstanding.

Particular Exceptions to the Generality of the Law.

XXIII. And be it further enacted and declared, That nothing herein contained shall extend or be construed to extend to prevent any Employer of any Artificer, or Agent of any such Employer, from supplying or contracting to supply to any such Artificer any Medicine or Medical Attendance, or any Fuel, or any Materials, Tools, or Implements to be by such Artificer employed in his Trade or Occupation, if such Artificers be employed in Mining, or any Hay, Corn, or other Provender to be consumed by any Horse or other Beast of Burden employed by any such Artificer in his Trade and Occupation; nor from demising to any Artificer, Workman, or Labourer employed in any of the Trades or Occupations enumerated in this Act the Whole or any Part of any Tenement at any Rent to be thereon reserved; nor from supplying or contracting to supply to any such Artificer any Victuals dressed or prepared under the Roof of any such Employer, and there consumed by such Artificer; nor from making or contracting to make any Stoppage or Deduction from the Wages of any such Artificer, for or in respect of any such Rent; or for or in respect of any such Medicine or Medical Attendance; or for or in respect of such Fuel, Materials, Tools, Implements, Hay, Corn, or Provender, or of any such Victuals dressed and prepared under the Roof of any such Employer; or for or in respect of any Money advanced to such Artificer for any such Purpose as aforesaid: Provided always, that such Stoppage or Deduction shall not exceed the real and true Value of such Fuel, Materials, Tools, Implements, Hay, Corn, and Provender, and shall not be in any Case made from the Wages of such Artificer, unless the Agreement or Contract for such Stoppage or Deduction shall be in Writing, and signed by such Artificer.

Employers may advance Money to Artificers for certain Purposes.

XXIV. And be it further enacted and declared, That nothing herein contained shall extend or be construed to extend to prevent any such Employer from advancing to any such Artificer any Money to be by him contributed to any Friendly Society or Bank for Savings duly established according to Law, nor from advancing to any such Artificer any Money for his Relief in Sickness, or for the Education of any Child or Children of such Artificer, nor from deducting or contracting to deduct any Sum or Sums of Money from the Wages of such Artificers for the Education of any such Child or Children of such Artificer, and unless the Agreement or Contract for such Deduction shall be in Writing, and signed by such Artificer.

XXV. And

Definition of Terms.

XXV. And be it further enacted and declared, That in the Meaning and for the Purposes of this Act, all Workmen, Labourers, and other Persons in any Manner engaged in the Performance of any Work, Employment, or Operation, of what Nature soever, in or about the several Trades and Occupations aforesaid, shall be and be deemed "Artificers;" and that within the Meaning and for the Purposes aforesaid, all Masters, Bailiffs, Foremen, Managers, Clerks, and other Persons engaged in the Hiring, Employment, or Superintendence of the Labour of any such Artificers, shall be and be deemed to be "Employers;" and that within the Meaning and for the Purposes of this Act, any Money or other Thing had or contracted to be paid, delivered, or given as a Recompence, Reward, or Remuneration for any Labour done or to be done, whether within a certain Time or to a certain Amount, or for a Time or an Amount uncertain, shall be deemed and taken to be the "Wages" of such Labour; and that within the Meaning and for the Purposes aforesaid, any Agreement, Understanding, Device, Contrivance, Collusion, or Arrangement whatsoever on the Subject of Wages, whether written or oral, whether direct or indirect, to which the Employer and Artificer are Parties or are assenting, or by which they are mutually bound to each other, or whereby either of them shall have endeavoured to impose an Obligation on the other of them, shall be and be deemed a "Contract."

Commencement of Act.

XXVI. And be it further enacted, That this Act shall not commence or take effect till the Expiration of Three Calendar Months next after the Day of passing the same.

To extend over Great Britain.

XXVII. And be it further enacted, That the Provisions of this Act shall extend over the whole of that Part of the United Kingdom of *Great Britain* and *Ireland* called *Great Britain*.

SCHEDULE referred to by the foregoing Act.

Form of Conviction.

to wit. } BE it remembered, That on this Day of in the Year of our Lord , at in the County of , *A. B.* is duly convicted before us, *C. D.* and *J. G.*, Two of His Majesty's Justices of the Peace for the of , for that the said *A. B.* [*specify the Offence, and the Time and Place when and where committed,*] whereby the said *A. B.* has forfeited the Sum of , this being adjudged to be the First [*or* Second] Offence [*as the Case may be*] against the Provisions of an Act to prohibit the Payment of Wages in Goods, besides the Costs of this Conviction, which we assess at the Sum of [*here state to whom and in what Proportions the Penalty and Costs are to be paid*], pursuant to the Statute in that Case provided.

Given under our Hands and Seals,

Summons to Witness.

to wit. } WHEREAS Information upon Oath hath been made before me, *A. B.* Esquire, One of His Majesty's Justices of the Peace for the County aforesaid, that *C. D.* of has been guilty of an Offence against the Laws prohibiting the Payment of Wages in Goods, and that you are a material Witness to be examined on the Hearing and Determination of such Information; These are therefore to require you to appear personally before me, and such other Justice or Justices as shall hear and determine such Information, at in the County aforesaid, on the Day of , at the Hour of of the same Day, there to be examined touching the Matters alleged in such Information. As witness my Hand,

Warrant of Commitment of a Witness.

to wit. } To the Constable or other proper Officer and to the Keeper or Gaoler of

WHEREAS *C. D.* hath been duly summoned to appear and give Evidence before us, *A. O.* and *G. F.*, Two of His Majesty's Justices of the Peace for the County [*or* Riding, City, Division, *or* Place]

Place] of , on this Day of being the Time and Place appointed for hearing and determining the Complaint made on the Oath of before us, against *A. B.*, of having [*stating the Offence as laid in the Information*] contrary to the Laws now in force for prohibiting the Payment of Wages in Goods: And whereas the said *C. D.* hath not appeared before us at the Time and Place aforesaid specified for that Purpose, or offered any reasonable Excuse for his Default [*or*]: And whereas the said *C. D.*, having appeared before us at the Time and Place aforesaid specified for that Purpose, hath not submitted to be examined as a Witness and give his Evidence before us touching the Matter of the said Complaint, but hath refused so to do [*or*]; Therefore we the said Justices do hereby, in pursuance of the Statute made, &cet. [*setting forth the Title of this Act*] commit the said *C. D.* to the [*describing the Prison*] there to remain without Bail or Mainprize, for his Contempt aforesaid, for the Space of Three Calendar Months, or until he shall submit himself to be examined and give his Evidence touching the Matter of the said Complaint, or shall otherwise be discharged by due Course of Law. And you [*the Constable or Peace Officer to whom the Warrant is directed*] are hereby authorized and required to take into your Custody the Body of the said *C. D.*, and him safely to convey to the said Prison, and him there to deliver to the Gaoler or Keeper thereof, who is hereby authorized and required to receive into his Custody the Body of the said *C. D.*, and him safely to retain and keep, pursuant to this Commitment. Given under our Hands and Seals, this Day of in the Year of our Lord

---

Warrant to distrain for Forfeiture.

} To the Constable [Headborough] *or* [Tithingman]
to wit. } of

WHEREAS *A. B.* of is this Day convicted before us, *C. D.* and *J. G.*, Two of His Majesty's Justices of the Peace in and for the said County, upon Oath of *H. K.*, a credible Witness, for that the said *A. B.* did [*here set forth the Offence*], contrary to the Statute in that Case made and provided, by reason whereof the said *A. B.* hath forfeited the Sum of to be distributed as herein is mentioned, besides the Sum of for Costs, both of which he hath refused to pay; These are therefore, in His Majesty's Name, to command you to levy the said Sum of and also the Sum of for Costs, by Distress of the Goods and Chattels of him the said *A. B.*; and if within the Space of Days next after such Distress by you taken, the said Sums, together with the reasonable Charges of taking and keeping the same, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained, and out of the Money arising by such Sale that you do retain the said Costs, and also the said Forfeiture or Sum of , and thereout pay to *L. M.*, who hath informed and prosecuted in this Case, the Sum of being his adjudged Portion of such Forfeiture, the Residue whereof

whereof is to go to the Treasurer of the said County of , in aid of the Rates thereof; and that you do return the Overplus, on Demand, to him the said *A. B.* (the reasonable Charges of taking, keeping, and selling the said Distress being first deducted); and if sufficient Distress cannot be found of the Goods and Chattels of the said *A. B.* whereon to levy the said Sum of , that then you certify the same to us, together with this Warrant.

Given under our Hands and Seals,

Commitment for Want of Distress.

} To the [Constable] of in the said County,
to wit. } and to the Keeper of the Common Gaol [*or* the House of Correction] at in the said County.

WHEREAS *A. B.* of in the said County was on the Day of convicted before us, *C. D.* and *J. G.*, Two of His Majesty's Justices of the Peace in and for the said County, upon the Oath of *H. K.*, a credible Witness, for that he the said *A. B.* [*here set forth the Offence*], contrary to the Statute made in the Year of the Reign of His Majesty King *William* the Fourth, by reason whereof the said *A. B.* hath forfeited the Sum of besides the Sum of for Costs: And whereas on the Day of in the Year aforesaid we did issue our Warrant to the [Constable] of to levy the said Sum of and Costs, by Distress and Sale of the Goods and Chattels of him the said *A. B.*, and to distribute the same according to the Directions of the said Statute: And whereas it duly appears to us, upon the Oath of the said [Constable], that the said [Constable] hath used his best Endeavours to levy the said Sum on the Goods and Chattels of the said *A. B.* as aforesaid, but that no sufficient Distress can be had whereon to levy the same [*or* by Confession of the said *A. B.*, *or* by the Oath of a credible Witness, that the said *A. B.* hath not Goods and Chattels within our Jurisdiction whereon to levy the said Forfeiture and Costs]; These are therefore to command you the said [Constable] of aforesaid to apprehend the said *A. B.*, and him safely to convey to the Common Gaol [*or* House of Correction] at in the said County, and there to deliver him to the Keeper thereof, together with this Precept. And we do also command you the said Keeper to receive and keep in your Custody the said *A. B.* for the Space of Three Months, unless the said Sum and Costs shall be sooner paid; and for so doing this shall be your sufficient Warrant. Given under our Hands and Seals,

---

LONDON: Printed by GEORGE EYRE and ANDREW SPOTTISWOODE, Printers to the King's most Excellent Majesty. 1831.