Anno tricesimo secundo

Georgii II. Regis.

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 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* Surrey, *and the several Precincts and Liberties 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.

Preamble.

WHEREAS by an Act of Parliament made in the Twenty second Year of His present Majesty's Reign, 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 *Surrey*, and the several Precincts and Liberties of the same; a certain Number of

Perſons to be choſen in Manner thereby authorized, were conſtituted a Court of Juſtice, by the Name of The Court of Requeſts, for the Town and Borough of *Southwark*, in the County of *Surrey*, with Power to hear and determine all ſuch Matters of Debt as are in the ſaid Act mentioned: And whereas it has been found by Experience that the Execution of the ſaid Act has been of great Benefit and Advantage to the ſeveral Tradeſmen, Artificers, Manufacturers, and other Perſons, living within the ſaid Town and Borough, and the ſeveral Pariſhes, Precincts, and Liberties, mentioned in the ſaid Act, but ſome Doubts have ariſen whether any Perſon or Perſons inhabiting within the ſaid Limits, and indebted to Perſons who do not live within the ſame, are ſubject to the Juriſdiction of the ſaid Court: And whereas it would be of great Advantage to the ſeveral Tradeſmen, Artificers, Manufacturers, and other Perſons, living and reſiding within the ſeveral Pariſhes of Streatham, Clapham, and Camberwell, and the Manor of Hatcham, in the Pariſh of Saint Paul Deptford in the County of Surrey, being the remaining Part of the Eaſtern Half of the Hundred of Brixton, which is not included in the ſaid Act, if the ſaid Act was extended to the ſaid Pariſhes and Manor; May it therefore pleaſe your Majeſty that it may be enacted and declared, and be it enacted and declared 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 Fifth Day of April One thouſand ſeven hundred and fifty nine, all Perſons whatſoever inhabiting within the Limits of the Juriſdiction of the ſaid Court of Requeſts, ſhall be, and are hereby declared to be, ſubject to the Proceſs and Juriſdiction of the ſaid Court, for any Debt or Debts by them or any of them, then, or at any Time or Times thereafter, owing to any Perſon or Perſons, Bodies Politick or Corporate, not exceeding the Sum of Forty Shillings, although the Plaintiff or Plaintiffs ſuing out ſuch Proceſs ſhall not inhabit or reſide within the ſaid Borough of Southwark, or any of the Pariſhes mentioned in the ſaid recited Act, or the Liberties or Precincts thereof; any thing in the ſaid former Act contained to the contrary notwithſtanding.

Inhabitants within the Limits of the Juriſdiction of the Court, are ſubject to the Proceſs and Juriſdiction thereof for Small Debts.

And be it further enacted by the Authority aforeſaid, That from and after the ſaid Fifth Day of April, One thouſand ſeven hundred and fifty nine, the ſaid Act made in the Twenty ſecond Year of his preſent Majeſty's

Reign, 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 *Surrey*, and the several Precincts and Liberties of the same, with the Explanation and Amendment thereof herein before enacted, and all the Powers, Directions, Punishments, Penalties, Forfeitures, Provisoes, Matters, and Things, in the said Act contained, shall extend, and are hereby extended to, and shall take Effect, operate, and be executed, with respect to the several Parishes of Streatham, Clapham, and Camberwell, and the Manor of Hatcham in the Parish of Saint Paul Deptford, in the County of Surrey, being the remaining Part of the Eastern Half of the Hundred of Brixton, which is not included in the said Act, and to all the Reliants, Inhabitants, and Persons, renting or keeping any Shop, Shed, Stall, or Stand, or seeking a Livelihood within the said Parishes, and Manor, and to all other Persons, in such and the same Manner, and as fully and effectually to all Intents and Purposes whatsoever, as if the said Parishes and Manor were Part of the said Town or Borough of Southwark, or as if the said Powers, Directions, Punishments, Penalties, Forfeitures, Provisions, Matters, and Things, were herein re-enacted with respect and in relation to the said Parishes and Manor.

Act 22 *Geo.* II, and the several Powers and Provisoes, &c. therein, extended to the Parishes of *Streatham*, *Clapham*, *Camberwell*, and Manor of *Hatcham*, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such of the Parishioners of the said respective Parishes of Streatham, Clapham, and Camberwell, and of such Part of the said Parish of Saint Paul Deptford, as lies within the said Manor of Hatcham, as have a Right to assemble in their several and respective Vestries, and they are hereby respectively impowered and required on Tuesday next after the Feast of Easter, which shall be in the Year of our Lord One thousand seven hundred and fifty nine, and so on every Tuesday next after the Feast of Easter, in every succeeding Year, to nominate and assign in the Whole, the Number of Twenty of the most substantial and discreet Persons residing within the said Parishes of Streatham, Clapham, and Camberwell, and such Part of the Parish of Saint Paul Deptford as aforesaid, who, together with the Persons to be from time to time nominated and appointed in the Manner directed by the said Act, are to be Commissioners for putting the said Act and this Act in Execution; which Persons shall be nominated in the Man-

Commissioners to be nominated annually on *Tuesday* in *Easter-week* by the Inhabitants of the said Parishes in Vestry assembled,

who are to be joint Commissioners with those appointed in pursuance of the recited Act.

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viz. *Streatham* to nominate 6; *Clapham* 6; *Camberwell* 6; *St. Paul Deptford* in *Hatcham* Manor 2.

ner following; that is to say, Such Parishioners of the Parish of Streatham to nominate and assign Six of the said Persons, of the Parish of Clapham Six of the said Persons, of the Parish of Camberwell Six of the said Persons, and such Part of the said Parish of Saint Paul Deptford as lies within the said Manor of Hatcham, Two of the said Persons; and the Churchwardens of each respective Parish for the time being, or One of such Churchwardens, shall, within Two Days next after every such Nomination, cause Two Lists to be made out of the Persons so nominated and appointed; and shall cause One of the said Lists, or a true Copy thereof, to be fixed or stuck up on the Church Door of each respective Parish; and shall deliver, or cause to be delivered, the other to the Chief Bailiff of the said Town and Borough of Southwark, or his Deputy, who shall forthwith cause a Copy of such Lists to be made and stuck up in some convenient Part of the Town Hall of the said Town and Borough of Southwark; and the Persons so to be from time to time nominated and appointed by the Parishioners of the said Parishes of Streatham, Clapham, Camberwell, and Saint Paul Deptford respectively, as aforesaid, shall, together with the Persons appointed or to be appointed by virtue of the said former Act, be Commissioners for putting the said former Act and this present Act in Execution; and the Commissioners so to be from time to time nominated and appointed by virtue of the said former Act and this present Act, or any Three or more of them, shall be, and are hereby fully authorized and impowered to put the said Act, and all the Powers and Authorities therein contained, and also this Act, in Execution; except only as to the Suspension, Removal, or Election, of any Clerk or Clerks of the said Court; and which Suspension, Removal, or Election, may, and are hereby authorized to be, from time to time, made by the major Part of the said Commissioners assembled at a Court to be summoned in the manner prescribed by the said Act; any thing in the said Act contained to the contrary notwithstanding.

Lists of the Commissioners to be made out:

One to be affixed on the Church Doors in each Parish, and the other to be delivered to the Chief Bailiff of *Southwark*, to be stuck up in the Town Hall.

Power given them jointly with the Commissioners under the former Act, to put this and the said Act in Execution,

except with respect to the Suspension, Removal, or Election, of the Clerks of the Court.

And be it further enacted by the Authority aforesaid, That the said Chief Bailiff, or his Deputy, shall, within Two Days next after such several Lists shall be returned to him as aforesaid, summon, or cause to be summoned, the Two First Persons named in the said List for the Parish of Streatham, the Two First Persons named in the said List for the Parish of Clapham, the Two First Persons named in the said List for the Parish of Camberwell, and the First Person named in the said List for such Part of the Parish of Saint Paul Deptford as aforesaid, to attend

The Two Persons standing foremost on each List to be summoned monthly to attend the Court, and so in Rotation;

except for *St. Paul Deptford*, for which One Person only is to be summoned.

tend as Commissioners of the said Court for One Month then next following; and so the like Number of Persons out of every List, as they shall stand in Order and Rotation therein respectively, to serve as Commissioners, from Month to Month, during the Term for which they are chosen Commissioners.

And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Matter or Thing done or to be done in pursuance of this Act, then, and in such Case, such Action or Suit shall be brought or commenced within Three Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants in such Action or Suit to be brought, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Tryal to be had thereupon; and if the Plaintiff or Plaintiffs shall become Nonsuited, or discontinue his or their Action or Actions, Suit or Suits; or if, upon Verdict or Demurrer, Judgement shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged, and taken, to be a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same. Publick Act.

FINIS.