



Small Debts Act 1845

CHAPTER 127

SMALL DEBTS ACT 1845

Creditor obtaining Judgment or Order in respect of a Debt not exceeding 20l. may summon the Debtor before a Commissioner of Bankrupts or Court of Requests, &c.

On Debtor appearing he may be examined by the Commissioner or Court.

Creditor may also be examined.

If Debtor fail to attend, or to make satisfactory Answer, or shall appear to have been guilty of Fraud, &c., he may be committed.

- II How Order shall be executed.
- III Imprisonment not to extinguish the Debt; but on Payment thereof, or of the Instalment payable, and the Costs, &c, the Debtor to be discharged.
- IV Certain Courts to have the like Powers in original Suits.
- V Where several Courts exist in the same Town, &c, Business not to be transferred from one to the other.
- VI Application to Commissioners, &c. need not be made by Counsel or Attorney.
- VII Affidavits in Bankruptcy and Insolvency may be sworn before Keepers of Prisons.
- VIII Actual Necessaries of Judgment Debtors not to be seized.
- IX Jurisdiction of Courts may be altered.
- X Removal of Judges of Inferior Courts for Misbehaviour or Incapacity.
- XI Who shall be competent to hold the Court.
- XII Appointing of a Deputy to act during the Absence of the Judge.
- XIII Execution of Process in Westminster and Southwark.
- XIV Power for Judge to frame a Table of Fees.
- XV Fees in Courts of Bankruptcy.
- XVI Fees, &c. payable under any existing Acts not to be affected.
- XVII Poundage to be demanded from Suitors upon Sums claimed.

Status: This is the original version (as it was originally enacted).

- XVIII Summonses to Witnesses.
- XIX Lists of unclaimed Suitors Money to be made out and put up in the Court.
- XX All Suitors Money paid into Court and unclaimed for Six Years, to go into the Court Fund.
- XXI Power to remove Suits exceeding 10l. into Superior Courts.
- XXII Power to execute Warrants and levy Executions out of Jurisdiction.
- XXIII Powers of 7 & 8 Vict. c.96 applicable to this Act.
- XXIV Interpretation of Terms in the Act.
- XXV Act to apply only to England.

SCHEDULES to which this Act refers.

SCHEDULE (A.) —

SCHEDULE (B.) —

SCHEDULE (C.) —

SCHEDULE (D.) — FEES to be taken by the REGISTRARS of the Courts of Bankruptcy