ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

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C A P. XXVII.

An Act for regulating the Proceedings in the Borough Courts of *England* and *Wales*.

[19th *July* 1839.]

WHEREAS great Difficulty has been found in framing legal and convenient Rules for regulating the Practice of Borough Courts under the Authority given for that Purpose by an Act passed in the Session holden in the Fifth and Sixth Years of the Reign of His late Majesty King *William* the Fourth, intituled *An Act to provide for the Regulation of Municipal Corporations in* England *and* Wales, and by an Act passed in the Session holden in the Sixth and Seventh Years of the same Reign, intituled *An Act for the better Administration of Justice in certain Boroughs;* and it is expedient that the Power to make Rules for regulating the Proceedings of such Courts, subject to the Approbation and Confirmation of the Judges of the Superior Courts of Common Law at *Westminster*, should be explained and in some respects enlarged: Be it therefore enacted by the Queen'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 every Borough named in the Schedules A. and B. to the first herein-before mentioned Act annexed, in which by Charter, Custom, or otherwise, there is or ought to be holden a Court

5 & 6 W. 4. c. 76.

6 & 7 W. 4. c. 105.

Judges of Courts of Record in Boroughs empowered

to make, &c. Rules for regulating the Times of holding and Practice in said Courts.

Court of Record for the Trial of Civil Actions, every Judge of such Court shall have Authority to make, alter, and revoke such Rules for appointing the Times of holding such Court, for regulating the Forms and Manner of proceeding, the Process, Appearance, Practice, and Pleadings in such Court, and for settling the reasonable Fees of the Attornies of the Court for Business transacted therein, as shall from Time to Time seem to him necessary and proper for expediting the Business of such Court with most Convenience, and at the smallest reasonable Expence: Provided always, that no such Rules, or any Order revoking or altering such Rules, shall be of any Force until they shall have been allowed and confirmed by Three of the Judges of the Superior Courts of Common Law at *Westminster*.

Such Rules to be confirmed by Three Judges.

Courts to be held Four Timesyearly.

II. Provided also, and be it enacted, That every such Court shall be holden for the Trial of Issues of Fact and of Law Four Times at least in each Year, and with no greater Interval between the holding of any Two successive Courts than Four Calendar Months.

Personal Actions to be by Summons.

III. And be it further enacted, That from and after the First Day of *September* next all personal Actions brought in the Borough Courts of *England* and *Wales* shall be commenced by Writ of Summons.

Act may be amended this Session.

IV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

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