

ANNO VICESIMO PRIMO & VICESIMO SECUNDO

VICTORIÆ REGINÆ.

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C A P. LXXIV.

An Act for the Re-arrangement of the Districts of the County Courts among the Judges thereof.

[2d *August* 1858.]

WHEREAS under the Provisions of an Act passed in the Session of Parliament holden in the Ninth and Tenth Years of the Reign of Her present Majesty, Chapter Ninety-five, certain Districts are constituted for the Purpose of holding therein County Courts, and such Districts are divided in unequal Numbers among the Sixty Judges of such Courts: And whereas it is expedient that Provision should be made for the better Division of the Business of the said Courts among the Judges thereof: Be it 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, as follows:

9 & 10 Vict. c. 95.

I. The Nineteenth Section of the said Act is hereby repealed; and it shall be lawful for the Lord Chancellor from Time to Time to alter the Distribution of the Districts among the Judges of County Courts, and for that Purpose to remove any Judge of a County Court from all or any of the Districts of which he is the Judge,

Lord Chancellor may alter and re-distribute the Districts of the Courts among the Judges thereof.

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for the Purpose of appointing him to any other District or Districts, or to appoint any such Judge to be the Judge of any District or Districts in addition to the District or Districts of which he is the Judge.

Two Persons may be appointed the Judges of One or more Districts.

II. The Lord Chancellor may from Time to Time appoint Two Persons to be the Judges of a District or Districts, and may make such Regulations as to their respective Sittings or otherwise as to the Division of their Duties as he may think right, and each of the Persons when acting as such Judge shall have all such Powers and Authorities as if he had been sole Judge of such District.

Number of Judges not to exceed Sixty.

III. Until Parliament shall otherwise direct, the Judges of the County Courts shall not exceed Sixty in Number.

Rule or Order requiring a Judge or Officer of a County Court to perform certain Duties to be issued only by a Superior Court.

IV. Whereas it is desirable that the Powers given by Section Forty-three of the Act passed in the Session of Parliament holden in the Nineteenth and Twentieth Years of the Reign of Her present Majesty, Chapter One hundred and eight, to any Superior Court, or a Judge thereof, should be exercised only by such Superior Court and not by a single Judge: Be it enacted, That no Rule or Summons requiring a Judge or an Officer of a County Court to show Cause why any Act relating to the Duties of his Office should not be done, nor any Rule or Order directing such Act to be done, shall be issued or made except by the Superior Court, and the said Section Forty-three, and any Provisions of the said Act having reference thereto, shall be read and construed as if the Words "or a Judge thereof" were not inserted in the said Section.

Provision of 17 & 18 Vict. c. 125. as to referring Causes to County Courts repealed.

V. So much of the Common Law Procedure Act, 1854, as enables any One of Her Majesty's Superior Courts of Common Law at *Westminster*, or any Judge thereof, to refer any Cause to the Judge of any County Court is hereby repealed.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1858.