THE COUNTY COURT GUIDE: A HANDBOOK OF PRACTICE AND PROCEDURE WITH AN APPENDIX OF USEFUL FORMS AND TABLE OF FEES AND COSTS

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The County Court Guide: A Handbook of Practice and Procedure with an Appendix of Useful Forms and Table of Fees and Costs by W. A. Holdsworth

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W.A. HOLDSWORTH

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Trieste

THE

COUNTY COURT GUIDE

3 Handbook of Practice and Procedure

WITH

AN APPENDIX OF USEFUL FORMS AND TABLE OF FEES AND COSTS

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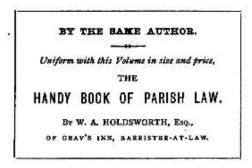
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PREFACE.

THE County Courts were intended by the Legislature to be tribunals before which every man could conduct his own cause. For that purpose written pleadings were dispensed with, and the forms of procedure were rendered as simple and as few as is consistent with the due administration of justice. Still forms and rules of practice can never be wholly got rid of; and such as are necessarily prescribed do, no doubt, often perplex those who desire to take proceedings in these Courts without obtaining the assistance of professional advice.

We desire in the following pages to assist the suitor by furnishing him with a guide to the procedure of these popular tribunals.

Although the space at our command has compelled us throughout the work to abstain from entering more than is absolutely requisite into technical details, we venture to hope that we may have succeeded in affording substantial aid in the conduct of such cases as are not embarrassed by difficulties and complications, which can only be successfully encountered by a professional man. It only remains to add that the present edition embraces the practice of these Courts, both under their legal and equitable jurisdiction, as it has been settled by the most recent Rules and Orders, in order to give effect to the Judicature Acts and other recent legislation affecting these tribunals.

BRICK COURT, TEMPLE, 1881.

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COUNTY COURT GUIDE.

CHAPTER I.

OF COUNTY COURTS, THEIR CONSTITUTION, ETC.

How established—Officers—Qualification of Judge—Duties of Registrars and High Bailiffs—Who may appear in a County Court.

THE County Courts, which are the subject of the following pages, were established in 1847, under the Act 9 & 10 Vict. c. 95, which has been since amended by the Acts 12 & 13 Vict. c. 101; 13 & 14 Vict. c. 61; 15 & 16 Vict. c. 54; 19 & 20 Vict. c. 108; 20 & 21 Vict. c. 36; 21 & 22 Vict. c. 74; 22 Vict. c. 8; 22 & 23 Vict. c. 57; 28 & 29 Vict. c. 99; 29 & 30 Vict. c. 14; 30 & 31 Vict. c. 142; 31 & 32 Vict. c. 40; 32 & 33 Vict. c. 62; 36 & 37 Vict. c. 52, and 38 & 39 Vict. c. 50.

Under powers given to the Crown by the first-mentioned of these Acts, England and Wales were shortly afterwards divided into 491 county court districts, and by subsequent orders various alterations have from time

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