CHAP. 23.

An Act to extend the Power of Recorders to appoint Deputies in certain cases. [12th July 1869.]

A.D. 1869.

WHEREAS by an Act passed in the sixth and seventh years of the reign of Her present Majesty, intituled "An Act to amend "the Act for the regulation of Municipal Corporations in England "and Wales," the recorders of boroughs having separate courts of quarter sessions are authorized and empowered, in case of sickness or unavoidable absence, to appoint deputies for the time being, and it is expedient to extend to recorders in the exercise of their civil jurisdiction as judges of the local courts of record in such boroughs, or any of them, a similar power in like cases: 6 & 7 Vict. c. 89.

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, as follows:

Power to recorders exercising jurisdiction as justices of local courts of record to appoint deputies in certain cases to act in such courts.

1. That the recorder of every borough in which, by charter, custom, or otherwise, there is or ought to be holden a court or courts of record for the trial of civil actions, of which court or courts the recorder is the judge, shall be and he is hereby empowered, in case of sickness or unavoidable absence, to appoint under his hand and seal a barrister of not less than five years standing as his deputy to act for him and in his stead as judge of the court or courts of record then next to be held, or then being held, and not longer or otherwise; and the recorder upon every occasion of the appointment of a deputy shall forthwith send to the Secretary of State for the Home Department a statement of the reason why such appointment has become necessary: Provided nevertheless, that such court or courts shall not be deemed to have been illegally held, nor the acts of such deputy invalidated, by reason of the cause of absence

A.D. 1869. of the recorder not being deemed to be unavoidable within the meaning of this Act.

Extent of Act.

2. This Act shall not apply to Scotland or Ireland.

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