CHAP. 51.

An Act to amend the County Courts (Admiralty Jurisdiction) Act, 1868, and to give Jurisdiction in certain Maritime Causes. [2d August 1869.]

A.D. 1869.

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:

Short title.

1. This Act may be cited as The County Courts Admiralty Jurisdiction Amendment Act, 1869, and shall be read and interpreted as one Act with the County Courts Admiralty Jurisdiction Act, 1868.

Extension of jurisdiction over ships and goods.

2. Any county court appointed or to be appointed to have Admiralty jurisdiction shall have jurisdiction, and all powers and authorities relating thereto, to try and determine the following causes:

(1.) As to any claim arising out of any agreement made in relation to the use or hire of any ship, or in relation to the carriage of goods in any ship, and also as to any claim in tort in respect of goods carried in any ship, provided the amount claimed does not exceed three hundred pounds:

If parties agree, causes in respect of claims of higher amount may be determined by county court.

(2.) As to any cause in respect of any such claim or claims as aforesaid, but in which the amount claimed is beyond the amount limited as above mentioned, when the parties agree, by a memorandum signed by them or by their attorneys or agents, that any county court having Admiralty jurisdiction, and specified in the memorandum, shall have jurisdiction.

Proceedings in rem or in personam.

3. The jurisdiction conferred by this Act and by the County Courts Admiralty Jurisdiction Act, 1868, may be exercised either by proceedings in rem or by proceedings in personam.

Amendment of sec. 3 of 31 & 32 Vict. c. 71.

4. The third section of the County Courts Admiralty Jurisdiction Act, 1868, shall extend and apply to all claims for damage to ships, whether by collision or otherwise, when the amount claimed does not exceed three hundred pounds.

As to appointment of mercantile assessors.

5. In any Admiralty or maritime cause the judge may, if he think fit, or on the request of either party, be assisted by two mercantile assessors; and all the provisions of the County Courts Admiralty Jurisdiction Act, 1868, with reference to nautical assessors, shall apply to the appointment, approval, summoning, and remuneration of such mercantile assessors.

Power of assessor of Court of Passage to make general rules and orders.

6. The assessor of the Court of Passage of the borough of Liverpool shall have power from time to time to make general rules and orders for regulating the practice and procedure of the Admiralty and maritime jurisdiction in the said court, and for other purposes mentioned in section thirty-five of the County Courts Admiralty Jurisdiction Act, 1868; and any general rules and orders already made or hereafter to be made by the said assessor for any of the purposes aforesaid shall be of full force and effect as if the same had been made under this or the aforesaid Act.

Commencement of Act.

7. This Act shall come into operation on the first day of September one thousand eight hundred and sixty-nine.

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