CHAPTER 49.

An Act for promoting the Revision of the Statute Law by repealing various Enactments relating to Civil Procedure or matters connected therewith, and for amending in some respects the Law relating to Civil Procedure.

[25th August 1883.]

WHEREAS with a view to the revision of the Statute Law it is expedient that various enactments (mentioned in the schedule to this Act) which chiefly relate to civil procedure, or matters connected therewith, and which may be regarded as spent, or have ceased to be in force otherwise than by express and specific repeal by Parliament, or have by lapse of time and change of circumstances become unnecessary, or the subject matter whereof is provided for by or under the Supreme Court of Judicature Act, 1873, and the Acts amending it, or rules made pursuant thereto, or for other reasons, may properly be repealed, be now expressly and specifically repealed: 36 & 37 Vict. c. 66.

And whereas it is expedient that in some respects the law relating to civil procedure be amended:

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:

1. This Act may be cited as the Statute Law Revision and Civil Procedure Act, 1883. Short title.

2. This Act shall not extend to Scotland or Ireland. It shall come into operation on the twenty-fourth day of October one thousand eight hundred and eighty-three. Extent and commencement.

3. The enactments described in the schedule to this Act are hereby repealed, subject to the exceptions and qualifications mentioned in this Act and in that schedule. Repeal of enactments scheduled.

4. The enactments mentioned in Part II. of the schedule to the Civil Procedure Acts Repeal Act, 1879, are hereby repealed. Repeal of enactments scheduled in 42 & 43 Vict. c. 59.

5. The repeal effected by this Act shall not affect— Savings.

(*a.*) Anything done or suffered before the passing of this Act under any enactment repealed by this Act; or

(*b.*) Any jurisdiction or principle or rule of law or equity established or confirmed, or right or privilege acquired, or duty or liability imposed or incurred, or compensation secured by or under any enactment repealed by this Act; or

(*c.*) Any right to any hereditary revenues of the Crown or any charges thereon; or

(*d.*) The repeal, confirmation, revival, or perpetuation by any enactment repealed by this Act of any enactment not repealed by this Act; or

(*e.*) The application or incorporation of any enactment repealed by this Act by or under any enactment not repealed by this Act, or by or under any Order in Council, so long as such Order remains in force.

6. (*a.*) This Act shall not be deemed to revive or restore any jurisdiction, office, duty, drawback, fee, payment, franchise, liberty, custom, right, title, privilege, restriction, exemption, usage, practice, Abolished procedure not revived.

procedure, or other matter or thing not existing or in force at the passing of this Act.

38 & 39 Vict. c. 77.

(*b.*) No enactment repealed by virtue of section thirty-three of the Supreme Court of Judicature Act, 1875, shall be revived by reason of the annulment or alteration by any new Rules of Court of the rules contained in the First Schedule to that Act.

(*c.*) The enactments relating to the making of Rules of Court, contained in the Supreme Court of Judicature Act, 1875, and the Acts amending it, shall be deemed to extend and apply to the matters contained in and regulated by the enactments repealed by this Act.

Application of repealed enactments in local courts.

7. If and in so far as any enactment repealed by this Act, or by the Civil Procedure Acts Repeal Act, 1879, applies, or may have been by Order in Council applied, to the court of the county palatine of Lancaster, or to any inferior court of civil jurisdiction, such enactment shall be construed as if it were contained in a Local and Personal Act specially relating to such court, and shall have effect accordingly.

Power to apply certain provisions of Judicature Acts and rules to inferior courts.

8. It shall be lawful for the Queen from time to time, by Order in Council, to extend to any inferior court of civil jurisdiction any of the provisions of the Supreme Court of Judicature Act, 1873, and Acts amending it, or of the Rules of Court made thereunder, with any such modifications as may be necessary or desirable, in the same manner as and to the like extent that the provisions of the Common Law Procedure Acts, 1852, 1854, and 1860, and of the general rules made thereunder, might, under the powers given by those Acts, have been extended to any such court.

SCHEDULE.

ENACTMENTS REPEALED.

This schedule is to be read as referring to the Revised Edition of the Statutes prepared under the direction of the Statute Law Committee in all cases of statutes included in that edition.

The chapters of the statutes are described by the marginal abstracts given in that edition.

A description or citation of a portion of an Act is inclusive of the words, section, or other part first or last mentioned, or otherwise referred to as forming the beginning or forming the end of the portion comprised in the description or citation.

11 Hen. 7. c. 12.	An Acte to admytt such psons as are poore to sue in formâ pauperis.
23 Hen. 8. c. 15.	An Acte that the defendant shall recover costs againste the pleyntif if the pleyntiff be nonsuited, or if the verdicte passe againste him.
9 Anne, c. 25., in part.	*An Act the title whereof begins with the words* "An Act for rendering," *and ends with the words* "in corporations and boroughs." In part; namely,—section one from the words "For remedy whereof" down to the end of the section. Section two, section three, and section six.
1 Will. 4. c. 21.	An Act to improve the proceedings in prohibition and on writs of mandamus.
1 Will. 4. c. 22., in part.	An Act to enable courts of law to order the examination of witnesses upon interrogatories and otherwise. In part; namely,—section three, section four, section five, section eight, section nine, section ten, section eleven.
1 & 2 Will. 4. c. 58.	An Act to enable courts of law to give relief against adverse claims made upon persons having no interest in the subject of such claims.
5 & 6 Vict. c. 69.	An Act for perpetuating testimony in certain cases.

6 & 7 Vict. c. 67.	An Act to enable parties to sue out and prosecute writs of error in certain cases upon the proceedings on writs of mandamus.
13 & 14 Vict. c. 35.	An Act to diminish the delay and expense of proceedings in the High Court of Chancery in England.
15 & 16 Vict. c. 76., in part.	The Common Law Procedure Act, 1852. In part; namely,—the whole Act except sect. 23; sects. 104 to 108; sect. 110; sects. 112 to 115; sect. 126; sect. 127; sect. 132; sects. 208 to 220; sect. 226; sect. 235; and sect. 236.
15 & 16 Vict. c. 80., in part.	An Act to abolish the office of Master in Ordinary of the High Court of Chancery, and to make provision for the more speedy and efficient despatch of business in the said Court. In part; namely,—sects. 11 to 15, 26 to 34, 36, 40, 42, 43, 53, 56.
15 & 16 Vict. c. 86., in part.	An Act to amend the Practice and Course of Proceeding in the High Court of Chancery. In part; namely,—sects. 3 to 21, sects. 25 to 42, sects. 44 to 47, sects. 49 to 62, sect. 66, and the schedule.
17 & 18 Vict. c. 125., in part.	The Common Law Procedure Act, 1854. In part; that is to say, the whole Act except sects. 3 to 17, sects. 20 to 30, sect. 59, sect. 87, sect. 89, sects. 103, 106, and 107.
18 & 19 Vict. c. 67.	The Summary Procedure on Bills of Exchange Act, 1855.
21 & 22 Vict. c. 27.	The Chancery Amendment Act, 1858.
23 & 24 Vict. c. 38., in part.	An Act to further amend the law of property. In part; namely,—sect. 14.
23 & 24 Vict. c. 126., in part.	The Common Law Procedure Act, 1860. The whole Act, except sect. 1, sect. 17, sect. 22, sects. 45 and 46.
25 & 26 Vict. c. 42.	The Chancery Regulation Act, 1862.
30 & 31 Vict. c. 64.	An Act to make further provision for the despatch of business in the Court of Appeal in Chancery.

CHAPTER 50.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March one thousand eight hundred and eighty-four, and to appropriate the Supplies granted in this Session of Parliament. [25th August 1883.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum herein-after mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted; and 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:

Grant out of Consolidated Fund.

Issue of 23,734,011*l.* out of the Consolidated Fund.

1. The Commissioners of Her Majesty's Treasury for the time being may issue out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and apply towards making good the supply granted to Her Majesty for the service of the year