



CHAPTER cxxxiv.

An Act to amalgamate the City of London Court with the Mayor's Court of London and for purposes in connection therewith. A.D. 1920.  
[16th August 1920.]

**B**E it enacted by the King'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. As from the commencement of this Act the Mayor's Court London and the City of London Court shall be amalgamated and form one court of civil jurisdiction for the City of London to be called "the Mayor's and City of London Court" (in this Act referred to as "the Court") and the Court shall have and exercise all the powers and jurisdiction of both of the said first-mentioned courts. Amalgama-  
tion of  
courts.

2.--(1) The judges of the Court shall be the Recorder the Common Serjeant the Assistant Judge of the Mayor's Court (appointed under the Borough and Local Courts of Record Act 1872 as amended by this Act) and one additional judge or if it appears to the Lord Chancellor necessary two additional judges appointed by the Lord Chancellor: Judges of  
amalgama-  
ted court.  
35 & 36 Vict.  
c. 86.

Provided that—

(a) the persons who at the date of the passing of this Act hold the offices of Assistant Judge of the Mayor's Court and Judge of the City of London Court shall continue in office as judges of the Court and in the case of the last-mentioned judge as though he had been appointed by the Lord

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Chancellor under this section as an additional judge  
of the Court; and

51 & 52 Vict.  
c. 91.

(b) nothing in this section shall affect the operation of  
subsection (14) of section forty-two of the Local  
Government Act 1888.

51 & 52 Vict.  
c. 43.

(2) Any assistant or additional judge referred to in this  
section shall for the purposes of section fifteen of the County  
Courts Act 1888 be deemed to be a county court judge.

Supple-  
mental pro-  
visions, as to  
judges.

3.—(1) The appointment of a deputy or assistant judge  
authorised by the Borough and Local Courts of Record Act  
1872 shall in relation to the Court be read and construed as  
if the power so to appoint was vested in the Recorder only  
and subject to the approval of the Common Council. The  
existing assistant judge and any assistant judge in future  
appointed shall not vacate his office upon the death resignation  
or removal of the Recorder.

(2) For the purpose of retiring pension the service which  
the holder of the office of judge of the City of London Court  
or assistant judge of the Mayor's Court has completed at the  
time of the commencement of this Act shall be added to any  
service which such judge may complete under this Act.

20 & 21 Vict.  
c. clvii.

(3) The appointment of a deputy or assistant judge as above  
mentioned shall not derogate from the power to appoint a  
deputy judge for a limited period under section forty-three of  
the Mayor's Court of London Procedure Act 1857 provided  
that the power to appoint such deputy or assistant judge shall  
be exerciseable by the Recorder or in his absence by the  
Common Serjeant.

Judges'  
term of  
office.

4.—(1) Subject to the provisions of this Act the office of  
a judge of the Court shall be vacated at the end of the com-  
pleted year of service in the course of which the holder of the  
office attains the age of seventy-two:

Provided that the Lord Chancellor at the request of the  
Common Council may extend that age from time to time to such  
later age (not exceeding seventy-five) as he thinks fit if he  
considers that such extension would be desirable in the public  
interest.

(2) This section shall not apply to any judge holding office  
in the Mayor's Court or the City of London Court before the  
date of the commencement of this Act.

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5.—(1) The registrar clerks and other officers of the Mayor's Court and of the City of London Court shall hold and exercise their several offices in the Court: A.D. 1920.  
Registrar  
and other  
officers.

Provided that—

- (a) the Common Council may combine or amalgamate any two or more offices in one office;
- (b) the Common Council may abolish the office of any such officer whose office as held before the commencement of this Act they deem unnecessary subject to the payment of such compensation as may be mutually agreed or in default of agreement as the Lord Chancellor or any person nominated by him may determine.

All compensation so payable and any costs incurred in determining the amount thereof as aforesaid shall be paid by the Common Council out of the Mayor's and City of London Court Fund.

(2) If the Registrar of the City of London Court at the time of the commencement of this Act resigns within six months after the commencement of this Act the Common Council shall accept his resignation and he shall be entitled to compensation in all respects as if his office had been abolished by the Common Council under this section.

6. The courts offices and buildings now used for the purposes of the City of London Court shall be held and maintained by the Common Council for the use of the Court but the Common Council may at any time provide or appoint and maintain any other suitable courts offices and buildings within the City of London in lieu thereof. Court  
buildings.

7. All moneys payable under the Acts relating to the Mayor's Court and the City of London Court or under this Act or under rules regulations or orders made under any of those Acts and all moneys standing to the credit of the Mayor's Court Suitors' Fund or the General Fund of the City of London Court respectively shall be paid into one fund to be called "the Mayor's and City of London Court Fund" and all the remuneration of any assistant or additional judges of the Court and all outgoings and expenses of or connected with the Court shall be paid out of the said fund and the Chamberlain of the City of Court  
moneys and  
treasurer.

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A.D. 1920. London shall be the treasurer of the fund and shall deal with  
the fund and account for the same to the Common Council in  
15 & 16 Vict. manner directed by the London (City) Small Debts Extension  
c. lxxvii. Act 1852:

Provided that notwithstanding anything in the Acts relating  
to the Mayor's Court or the City of London Court any defi-  
ciency arising in the said Mayor's and City of London Court  
Fund in any one financial year shall be chargeable to and made  
good from the general rate of the City of London made in the  
financial year following that in which such deficiency arose and  
any surplus arising in the said fund shall be applied in aid of  
such rate.

Procedure  
in causes  
within  
jurisdiction  
of High  
Court.

8. All causes and proceedings in the Court shall be com-  
menced by plaint but in the case of any cause or proceeding which  
could not previously to the commencement of this Act have  
been brought in the City of London Court but which could have  
been brought in the Mayor's Court any party to such cause or  
proceeding may in manner prescribed by rules to be made under  
section forty-five of the Mayor's Court of London Procedure  
Act 1857 apply by summons for directions as to the subse-  
quent procedure to be adopted and provision shall be made by  
rules under the said section for adopting in regard to any such  
cause or proceeding subject to any modifications contained in  
the rules the procedure of the Supreme Court in lieu of the  
procedure which at the date of the commencement of this Act  
was in use in the Mayor's Court:

Provided that the scales of fees and costs now in use in  
the Mayor's Court shall continue to be in force for all such  
causes and proceedings as aforesaid subject to any rules regula-  
tions or orders to be hereafter made under the said section.

Procedure in  
causes within  
jurisdiction  
of county  
court.

9. For the purpose of all causes and proceedings within the  
jurisdiction of a county court the Court shall be deemed to be  
a county court and shall subject to the provisions of this Act  
be governed by the statutes and rules for the time being  
applicable to county courts so far as they do not conflict with  
the London (City) Small Debts Extension Act 1852.

Pending  
causes.

10. All causes and proceedings pending in the Mayor's  
Court at the date of the commencement of this Act shall be  
heard and determined as if this Act had not been passed.

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11. Nothing in this Act contained shall repeal or vary the provisions of the several Acts affecting the Mayor's Court or the City of London Court except so far as any provisions of those Acts are varied by or inconsistent with this Act.

A.D. 1920.  
Saving of  
existing  
Acts.

12.—(1) In this Act—

Definitions,  
commence-  
ment, and  
short title.

“The Mayor's Court” means the court of our Lord the King holden before the Lord Mayor and Aldermen in the City of London;

“The Common Council” means the Mayor, Aldermen, and Commons of the City of London in Common Council assembled;

“The City of London Court” means the Sheriff's Court of the City of London;

“The Recorder” and “the Common Serjeant” mean respectively the Recorder and the Common Serjeant of the City of London.

(2) This Act shall come into operation on the first day of January nineteen hundred and twenty-one.

(3) This Act may be cited as the Mayor's and City of London Court Act 1920.

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