



Stannaries Act 1855

1855 CHAPTER 32

With respect to the Execution of Judgments and Decrees of the Court of the Vice-Warden, be it enacted as follows :

XVIII Pleading to Jurisdiction.

Demurrers for Matter of Form only shall not be permitted in the Court of the Vice-Warden, and on the Equity Side of the said Court no Demurrers or Pleas shall be permitted except Demurrers for that the Suit or Subject thereof is not within the Cognizance or Jurisdiction of the said Court; and if the Objection of Want of Jurisdiction shall not be raised by Demurrer or Plea within Ten Days after Appearance in a Suit on the Equity Side, or within Ten Days after Notice of Declaration or Service of a Copy of Complaint on the Common Law Side, no Question as to the Jurisdiction of the Court shall thereafter be raised, except in Cases where the Want of Jurisdiction will disable the Court from doing full and substantial Justice between the Parties to the Suit; and the Mode of filing or serving Demurrers or Pleas to the Jurisdiction shall be regulated by General Rules and Orders made as herein-after provided, and so much of Section Thirteen of the Act passed in the Session of Parliament holden in the Sixth and Seventh Years of the Reign of *William* the Fourth, Chapter One hundred and six, as relates to Pleas and Demurrers to the Jurisdiction, and so much of the Act passed in the Sixteenth Year of the Reign of *Charles* the First, Chapter Fifteen, as relates to the Form and Manner of objecting to the Jurisdiction of the Stannary Courts, or is at variance with this Act, shall be and is hereby repealed, except as to Suits commenced before the passing of this Act.