



Administration of Justice Act 1925

1925 CHAPTER 28

County Courts

19 Trial with jury in county courts and other inferior courts of civil jurisdiction

- (1) The following provisions shall have effect in relation to the trial of actions in a county court or any, other inferior court of civil jurisdiction :—
- (a) In actions within the equity jurisdiction of the court, and in actions in which the amount claimed does not exceed five pounds, the trial shall, unless otherwise ordered by the court, be without a jury:
 - (b) Any action, not being an action to which paragraph (a) of this subsection applies, in which there is a claim in respect of libel, slander, malicious prosecution, false imprisonment, seduction or breach of promise of marriage, shall, if any party thereto so requires, be tried with a jury:
 - (c) Any action, not being an action to which paragraph (a) or paragraph (b) of this subsection applies, shall, if any party thereto so requires, be tried with a jury, unless the court is satisfied on an application made by any party thereto that the action is more fit to be tried without a jury.
- (2) In this section the expression " action " includes any matter or other proceeding requiring to be tried, and the expression " equity jurisdiction" in relation to a county court means the equity jurisdiction given to county courts by section sixty-seven of the County Courts Act, 1888.

20 Amendment of s. 11 of County Courts Act, 1919

The following proviso shall be substituted for proviso (ii) to subsection (1) of section eleven of the County Courts Act, 1919 (which relates to costs of actions, Commenced in the High Court which could have been commenced in a county court)—

“(ii) if in any action the claim is for a debt or liquidated demand only for a sum of twenty pounds or upwards and—

- (a) the defendant pays the amount claimed or a sum of not less than twenty pounds within the time limited

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in that behalf by the endorsement made on the writ in accordance with the rules of the Supreme Court; or

(b) the plaintiff, within twenty-eight days after the service of the writ or within such further time as may be allowed by the court or a judge, obtains judgment in default of appearance or of defence for a sum of twenty pounds or upwards; or

(c) the plaintiff, within twenty-eight days after the service of the writ or within such further time as may be allowed by the court or a judge, obtains under any rule of the Supreme Court providing for summary judgment without trial an order empowering him to sign judgment for a sum of twenty pounds or upwards, either unconditionally or unless that sum is paid into court or to the plaintiff's solicitor;

the plaintiff shall, unless otherwise ordered by the court or a judge, be entitled to costs on such scale as may be prescribed by rules of court.”

21 Transfer to county court of money recovered in High Court by infants, and c

- (1) Where in any cause or matter in the King's Bench Division or in an Admiralty action in the Probate Division money is in any manner recovered by or on behalf of, or adjudged or ordered to be paid to or for the benefit of, a person who is an infant or of unsound mind, the High Court or a judge may order the money or any part thereof to be paid into or transferred to the county court of the district in which that person resides or such other county court as the High Court or judge may order, and the money or the part thereof to which the order relates shall thereupon be paid or transferred accordingly, and shall, subject to any special order or direction of the High Court or a judge and to county court rules, be invested, applied or otherwise dealt with for the benefit of that person in such manner as the county court in its discretion thinks fit.
- (2) The provisions of this section shall apply to money which in proceedings under the Fatal Accidents Acts, 1846 to 1908, is recovered by or adjudged or ordered to be paid to the widow of the person killed as they apply to money recovered by or adjudged or ordered to be paid to an infant.
- (3) The Lord Chancellor may, with the concurrence of the Treasury, by order prescribe the fees to be charged in respect of the payment and investment of money or the application thereof or dealing therewith under this section.
- (4) Where before the commencement of this Act money recovered in any cause or matter in the King's Bench Division by or on behalf of a person who is an infant or of unsound mind has been paid to the Public Trustee, it shall be lawful for the Public Trustee to pay that money, or so much of it as remains in his possession into the county court of the district in which that person resides, and money so transferred shall be invested, applied or dealt with in the same manner as if it had been paid into the county court under subsection (1) of this section.
- (5) County court rules may be made for the purpose of carrying into effect the provisions of this section so far as they relate to the receipt of money into county courts and the investment thereof or application thereof or dealing therewith and the duties of registrars of county courts, and any such rules may provide for the transfer of money

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paid into a county court under this section or the investment representing any such money from one county court to another.