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TUESDAY, JANUARY 3, 1854.

AT the Court at *Windsor*, the 29th day of *December*, 1853.

PRESENT,

The QUEEN's Most Excellent Majesty in Council.

WHEREAS there was this day read, at the Board, a report from the Judicial Committee of the Privy Council, dated the eighth of December, one thousand eight hundred and fifty-three, in the words following; viz.:

"Your Majesty having been pleased by your Order in Council of the first of April, one thousand eight hundred and fifty-three, to refer unto this Committee the humble petition of the Mayor, Aldermen, and Burgesses of the borough of Birmingham, in the county of Warwick, in Council assembled, on the twenty-sixth day of October, setting forth that, by your Majesty's Royal Charter of Incorporation of the said borough, bearing date the thirty-first day of October, in the second year of your Majesty's reign, your Majesty granted to the Mayor, Aldermen, and Burgesses of the said borough and their successors, that they and their successors from thenceforth for ever might have and hold within the borough aforesaid, a Court of Record for the trial of civil actions before the mayor of the said borough for the time being, in any convenient place within the said borough, on the third day in every week, which Court should have authority to try actions of assumpsit, covenant, and debt, whether the debt were by specialty or simple contract; and all actions of trespass or trover for taking goods and chattels, provided the sum or damages sought to be recovered should not exceed twenty pounds; and all actions of ejectment between landlord and tenant, wherein the annual rent of the premises, of which possession was sought to be recovered, should not exceed twenty pounds, and upon which no fine should have been reserved or made payable; and it was by the said charter provided that every presiding judge of such Court respectively, from time to time might make rules for regulating the practice of such Court, but so that no such rules should be of force until they should have been allowed and confirmed by three or more Judges of the Superior Courts of Common Law at Westminster; and that no action should be tried in such Court wherein the title to land, whether freehold, copyhold, or leasehold, or other tenure whatsoever, or to any tithe, tcell, market, fair, or other franchise should be in question in any action; and it was by the said charter also provided, that if a recorder should be thereafter appointed for the

said borough, no issue either in law or in fact, should be tried and determined in the said Court, in the absence of such Recorder: that the said Borough Court still continues to be holden: that by virtue of the statute made and passed in the session of Parliament, holden in the ninth and tenth years of your Majesty's reign, cap. ninety-five, it is declared that it is expedient that one rule and manner of proceeding for the recovery of small debts and demands, should prevail throughout England; and by the said Act, a County Court for Warwickshire was established and is holden in the said borough, and has jurisdiction throughout the whole of the said borough: that the said County Court has cognizance of all causes whereof the Borough Court hath jurisdiction, with the exception of certain actions of ejectment and assumpsit, for the prosecution of which the said Borough Court hath not heretofore been used: that the officers of the said Borough Court are, Isaac Spooner, Esq., Barrister-at-Law, the Judge (appointed by the Recorder of the borough, pursuant to an Act passed in the session of Parliament, holden in the sixth and seventh years of the reign of His late Majesty King William the Fourth, cap. one hundred and five, intituled "An Act for the better administration of justice in certain boroughs"); Robert Kellie Douglas the Registrar, and Joseph Holl and Francis Osler Badham, the Serjeants at Mace: that the said Judge was appointed on the first of January, one thousand eight hundred and fifty-two, but no salary is paid to him by the petitioners, and the other officers of the said Court derive their emoluments exclusively from fees received from suitors: that the proceedings of the said Borough Court are dilatory, complicated, and expensive, the powers for enforcing its judgments and orders are in many instances ineffective, and no summary means are provided to remedy abuses in the conduct of the officers and practitioners of the Court: that the proceedings of the County Court are prompt, simple, inexpensive, and effective: that the County Court is amply sufficient to transact, in addition to its present business, the whole of the business which is now transacted in the Borough Court: that the said Borough Court has therefore become unnecessary, and its continuance is not conducive to the due administration of justice in this borough, and humbly praying that it may please your Majesty, by and with the advice of your Majesty's Privy Council, by an Order in Council, to declare that the jurisdiction of the said Court established by the said charter shall, from the