Within a Reasonable Time: The History of Due and Undue Delay in Civil Litigation

Edited by

C. H. van Rhee

Duncker & Humblot · Berlin
Contents

C. H. van Rhee
Introduction .................................................................................................................. 7

I. Middle Ages

M. Ascheri
Between Statutory Law and Learned Law: Delay in the Early History of the Medi-
val Italian Communes (and Beyond) ............................................................................. 37

P. Brand
‘To None Will We Sell, to None Will We Deny or Delay Right or Justice’: Expedition
and Delay in Civil Proceedings in the English Medieval Royal Courts .................... 57

R. H. Helmholz
Due and Undue Delay in the English Ecclesiastical Courts (ca. 1300 – 1600) ............ 73

K. W. Nörr
Verzögert oder beschleunigt: das Beispiel des römisch-kanonischen Prozessrechts ... 93

II. Early Modern Period

A. M. J. A. Berkvens
The Reform of Civil Procedure in the Rhine-Prussian Provinces: The Example of
Prussian Gueldres 1713 – 1786 .................................................................................... 105

J. Finlay
The History of Delay in Civil Procedure at the Scottish Court of Session (1600 –
1830) ......................................................................................................................... 121

A. M. Godfrey
Procedural Delay, Appeal and Advocation in the Court of Session in Sixteenth-Cen-
tury Scotland ............................................................................................................... 153

III. 19th and 20th Centuries

J. Blackie
Delay and Its Control in Mid to Late Nineteenth Century Scottish Civil Procedure ... 179

W. H. Bryson
The Code of Virginia of 1849 ..................................................................................... 199

S. Fockeley
Reducing Undue Delay in Nineteenth Century Belgium: a Sisyphean Task ............ 215
<table>
<thead>
<tr>
<th>Author(s)</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>T. P. Gallanis</td>
<td>Victorian Reform of Civil Litigation in the Superior Courts of Common Law</td>
<td>233</td>
</tr>
<tr>
<td>P. Oberhammer / T. Domej</td>
<td>Delay in Austrian Civil Procedure and the Legislator's Response</td>
<td>255</td>
</tr>
<tr>
<td>D. Tamm / A. Højér Schjøler</td>
<td>The Way to the 1916 Reform of Danish Procedural Law</td>
<td>279</td>
</tr>
<tr>
<td>S. Waddams</td>
<td>Clergy Discipline in the Church of England, 1830–1892</td>
<td>297</td>
</tr>
<tr>
<td>A. Wijffels</td>
<td>Undue Delay and the French Code of Civil Procedure (1806)</td>
<td>319</td>
</tr>
<tr>
<td></td>
<td>List of Contributors</td>
<td>355</td>
</tr>
</tbody>
</table>