



Court of Session Act 1850

CHAPTER 36

COURT OF SESSION ACT 1850

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5	Record to be closed by interlocutor and no authentication by counsel to be necessary.
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7	Dilatory defences in reductions, how to be disposed of.
8	Production may be satisfied on box day.
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14	Lord Ordinary not to order written arguments.
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16	Actions of adherence, etc. to be instituted in the Court of Session.
17	Members of College of Justice not to institute actions not otherwise competent.
18	Summonses not to proceed on bills or to bear dates except the date of signeting.
19	Regulations as to multiple-poidings.
20	Short forms of execution provided.
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22	Edictal citations, regulated.
23	Protestations for not calling and enrolling regulated.
24
25	Copy of an interlocutor granting commission or diligence to be equivalent to a formal extract.
26	Witnesses abroad may be examined in consistorial causes by commission.

*Changes to legislation: There are currently no known outstanding effects
for the Court of Session Act 1850. (See end of Document for details)*

- 27 Diligences may be reported on box days.
- 28 Interim decrees to be extractible without special allowance.
- 29 Decree for expences to include expence of extract.
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- 32 In advocations and suspensions, if record is closed and proof concluded
in inferior court, case may be taken at once to the inner house without a
judgment of the Lord Ordinary.
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- 35 Provision as to one Division of the Court consulting the other.
- 36 Procedure in jury causes to be the same, so far as is applicable, as in
other Court of Session causes.
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- 39 Engrossment of issues abolished.
- 40 On issues being approved of, time and place of trial to be fixed.
- 41 Lord Ordinary in the cause to preside at trial during session.
- 42 Lord Ordinary, etc. to have power to summon jury, and to appoint cause
to be tried by a special jury.
- 43 Certified copy of the Interlocutor fixing the trial to be the warrant for
citing witnesses.
- 44 Counsel for each party to be heard after evidence closed.
- 45 Restriction of bills of exceptions.
- 46 Lord Ordinary. by consent, may try issues of consent without a jury.
- 47 Lord Ordinary’s findings in fact shall be final unless reclaimed against.
Proviso as to appeals on questions of law.
- 48 Lord Ordinary may try special facts without a jury.
- 49 Lord Ordinary may take the evidence by commission except in the
enumerated causes.
- 50 Parties may choose their own jury.
- 51 Reports by Lords Ordinary may be verbal.
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- 53 Compensation.
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SCHEDULES

SCHEDULE (A.) —

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SCHEDULE (B.) —

This Summons, [or Note of Suspension, or Note of Suspension...
[Signature of Messenger.]
C.D., Witness.

Changes to legislation:

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