



# Sheriff Courts (Scotland) Act 1876

1876 CHAPTER 70 39 and 40 Vict

## *Preliminary*

**1 Short title. U.K.**

This Act may be cited for all purposes as the Sheriff Courts (Scotland) Act 1876.

**2 Application of Act. U.K.**

.....<sup>F1</sup> Unless where otherwise expressly provided, this Act shall only apply to civil proceedings in the ordinary sheriff court.

**Textual Amendments**

**F1** Words repealed by [Statute Law Revision Act 1894 \(c. 56\)](#)

**3 Interpretation of terms. U.K.**

In this Act, unless when there is something in the sense or context repugnant to that construction, the following terms have the meanings herein-after assigned to them; that is to say,

“Action” includes every civil proceeding competent in the ordinary sheriff court:

“Person” includes company, corporation, and firm:

“Sheriff” includes sheriff substitute:

“Sheriff clerk” includes sheriff clerk depute, and in Part VIII. of this Act means commissary clerk, in those cases in which such office is not abolished:

“Agent” means a law agent enrolled in terms of the<sup>M1</sup> Law Agents (Scotland) Act 1873:

“Final judgment” means a judgment or interlocutor which, either by itself or taken along with a previous interlocutor or interlocutors, disposes of the whole subject-matter of the cause, or of the competition between the parties in a

*Changes to legislation:* There are currently no known outstanding effects for the Sheriff Courts (Scotland) Act 1876, Cross Heading: Preliminary. (See end of Document for details)

process of competition, although judgment shall not have been pronounced on all the questions of law or fact raised therein, and although expenses, if found due, have not been taxed, modified, or decerned for.

**Modifications etc. (not altering text)**

**C1** References to sheriff and sheriff substitute to be construed as refernces to sheriff principal and sheriff respectively: [Sheriff Courts \(Scotland\) Act 1971 \(c. 58\)](#), **s. 4**

**Marginal Citations**

**M1** 1873 c. 63.

4—25. .... <sup>F2</sup> **U.K.**

**Textual Amendments**

**F2** Ss. 4-25 repealed by [Sheriff Courts \(Scotland\) Act 1907 \(c. 51\)](#), **Sch. 2**

26 ..... <sup>F3</sup> **U.K.**

**Textual Amendments**

**F3** S. 26 repealed by [Bankruptcy \(Scotland\) Act 1913 \(c. 20\)](#), **Sch. 1**

27—  
34. .... <sup>F4</sup> **U.K.**

**Textual Amendments**

**F4** Ss. 27-34 repealed by [Sheriff Courts \(Scotland\) Act 1907 \(c. 51\)](#), **Sch. 2**

**Changes to legislation:**

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