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PROPOSED ACT OF SEDERUNT Regulating the Fees Payable in the Sheriff Courts of Scotland, and Prescribing the Form of Books of Account to be kept by Sheriff Clerks.

EDINBURGH,

THE Lords of Council and Session, in pursuance of the power vested in them by section 2 of the Courts of Law Fees (Scotland) Act 1895, and section 40 of the Sheriff Courts (Scotland) Act 1907, do enact that on and after the first day of April 1908 the Act of Sederunt of 20th December 1898, and so much of the two Acts of Sederunt of 7th July 1904, and of the Act of Sederunt of 26th June 1907, as relates to fees payable in the Sheriff Courts of Scotland shall be and are by this Act repealed; and in lieu thereof it is hereby enacted:—

1. On and after the first day of April 1908 Sheriff Clerks shall be entitled to charge the fees specified in the tables hereto annexed in place of the fees hitherto chargeable by them, and no other or higher fees shall be charged by them, nor shall any addition be made thereto in respect of postage or otherwise.

2. Sheriff Clerks shall be responsible for the collection of all fees specified in the tables, and it shall be their duty to refuse to receive any paper chargeable with a fee, or to transmit any service or petition for completion of title for

extract, or to allow any marking of an appeal, or other marking to be made in respect of which a fee is payable, unless the appropriate fee has been paid; and it shall further be their duty, when a fee is declared payable prior to any particular step being taken in a process, and such fee has not been paid by either party, to call the attention of the sheriff to the matter, and the sheriff, unless the fee is thereupon paid, shall proceed with the case as if the party by whom the unpaid fee is payable were absent or in default.

3. The fee in section 1 of Part I. shall cover extract. The *ad valorem* fees in section 3 of Part I. shall cover all proceedings, including correspondence, but not including petitions for appointment of executor, for restriction of caution, or for special warrants. The fee in section 6 of Part II. shall cover all proceedings including extract, but not including appeal. The fees in sections 7 to 18 inclusive and 27 to 32 inclusive of Part II. shall cover all proceedings including, in bankruptcy cases, the necessary extracts and abbreviates for the Accountant of Court and other Government Departments. The fees in sections 19 and 20 of Part II. shall cover all proceedings including extract, but not including stated case. The fees in sections 21 to 26 inclusive of Part II. shall cover all proceedings, except appeal or stated case, in any action or proceeding for which special fees are not provided elsewhere. In criminal cases at the instance of a private pro-