STATUTORY INSTRUMENTS

1975 No. 74 (S. 7)

COURT OF SESSION, SCOTLAND

Act of Sederunt (Fees of Messengers-at-Arms) 1975

Made - - - -	*23rd January* 1975
Coming into Operation	*25th February* 1975

The Lords of Council and Session, under and by virtue of the powers conferred on them by section 6 of the Execution of Diligence (Scotland) Act 1926**(a)** and section 16 of the Administration of Justice (Scotland) Act 1933**(b)**, and of all other powers competent to them in that behalf, with the concurrence of the Lord Lyon King of Arms, do hereby enact and declare as follows:—

1. The Act of Sederunt (Fees of Messengers-at-Arms) 1970**(c)** is hereby repealed.

2. The fees in civil business exigible by Messengers-at-Arms shall be those prescribed in the Schedule hereto.

3. This Act of Sederunt may be cited as the Act of Sederunt (Fees of Messengers-at-Arms) 1975, and shall come into operation on 25th February 1975.

And the Lords appoint this Act of Sederunt to be inserted in the Books of Sederunt.

G. C. Emslie,
I.P.D.

Edinburgh,
23rd January 1975.

SCHEDULE

TABLE OF FEES IN CIVIL BUSINESS FOR MESSENGERS-AT-ARMS

	Fee £	p
1. Executing Summons including Delivery Copy, Writing Citation and and Execution and returning same	1	60
If more than one Defender and in the same dwelling-house	0	65
If in separate dwellinghouse each other copy	1	60
If furth of the Kingdom first copy	1	60
If furth of the Kingdom each other copy	0	65
2. Executing Charge on Extract Decree, Protest, Letters of Horning, Bond and other Diligence, and framing any of the above, each copy	1	60
3. Executing Arrestments on Summonses, Letters of Arrestment, Decrees and other Diligence	1	60
4. Executing Inhibitions—first copy	3	25
Each other copy to parties	3	25
5. Citing each Witness	1	60

(a) 1926 c. 16. **(b)** 1933 c. 41.
(c) S.I. 1970/1059(1970 II, p. 3301).

	Fee £	p
6. Searching for, apprehending and imprisoning Debtor	6	50
Each Assistant	1	15
7. Taking prisoner from Prison to Court House for examination ...	3	90
8. Arresting Vessels of every Class and Description	7	80
Each Assistant	1	15
9. Dismantling Vessels lying in harbour, besides Assistants', Carpenters', Engineers', and Sailors' expenses when necessary	9	10
10. Poindings		
Where the appraised value does not exceed £10	2	15
Exceeds £10 but does not exceed £20	3	60
Exceeds £20 but does not exceed £50	6	50
Exceeds £50 but does not exceed £100	9	10
Exceeds £100 but does not exceed £150	10	70
Exceeds £150 but does not exceed £200	11	70
Exceeds £200 then at the rate of £1·50 for each additional £50 or part thereof	2	00
Each Appraiser		
Where the appraised value does not exceed £10	0	65
Exceeds £10 but does not exceed £20	0	80
Exceeds £20 but does not exceed £50	1	15
Exceeds £50 but does not exceed £100	1	45
Exceeds £100 but does not exceed £150	1	60
Exceeds £150 but does not exceed £200	2	00
Exceeds £200 then at the rate of £0·50 for each additional £50 or part thereof	0	65
12. Sales		
As in Table of Fees for Sheriff Officers.		
13. Sheetage		
In addition to the above charges, when Schedule and also Execution exceeds 250 words, then for every additional 250 words of part thereof	0	30
14. Travelling		
Each mile or part thereof—		
Messenger-at-Arms Office-Messenger	0	20
Assistants or Witnesses (each)	0	13
15. Detention		
For each hour or part thereof—		
Messenger	1	30
For each Assistant	0	65
16. Miscellaneous		
Writing necessary letters to employers remitting money recovered, reporting state of diligence etc.	0	50
17. Any Necessary Outlays.		

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt.)

This Act of Sederunt prescribes a new Table of Fees exigible by Messengers-at-Arms in civil business.

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