JUSTICIARY, HIGH COURT OF, SCOTLAND

Act of Adjournal (Death Sentence), 1950

1950 No. 909 (S. 60)

Made - - - -	*2nd June*, 1950
Laid before Parliament	*5th June*, 1950
Coming into Operation	*12th June*, 1950

The Lord Justice-General, Lord Justice-Clerk and Lords Commissioners of Justiciary, by virtue of the powers conferred upon them by an Act passed in the Third Session of the Second Parliament of King Charles the Second, entituled "Act concerning the Regulation of the Judicatories"(a), and Sections 57 and 76 of the Criminal Procedure (Scotland) Act, 1887(b), do hereby enact as follows:—

1. The form and mode of pronouncing and recording the sentence of death shall be as follows:—

(*a*) the form of said sentence shall be as nearly as may be as set forth in the Schedule hereto;

(*b*) after the Verdict of the Jury finding the accused guilty has been recorded, the presiding Judge shall sign the said sentence on a paper separate from the Record, and immediately thereafter shall pronounce sentence;

(*c*) it shall not be necessary that the accused should be present in Court after the presiding Judge shall have pronounced sentence;

(*d*) immediately thereafter the Clerk shall engross the said sentence in the Record, and the presiding Judge shall sign the same.

2. Section II of the Act of Adjournal dated 1st August, 1849(c), and the Acts of Adjournal dated respectively 28th February, 1888(d), and 1st June, 1909(e), are hereby repealed.

3. This Act of Adjournal may be cited as the Act of Adjournal (Death Sentence), 1950, and shall come into operation on the 12th day of June, 1950. And the Lords appoint this Act of Adjournal to be recorded in the Books of Adjournal.

T. M. Cooper,
I.P.D.

Edinburgh,
2nd June, 1950.

SCHEDULE

SENTENCE OF DEATH

A.B., the sentence of the Court is that you be taken from this place to the Prison of ..... [thence to be forthwith transmitted to the Prison of .....] therein to be detained until the ..... day of ..... and upon that day within the said prison of ..... between the hours of eight and ten o'clock forenoon you suffer death by hanging which is pronounced for Doom.

(a) Charles II, 1672, c. 40 (Record edition), c. 16 (12 mo. edition).
(b) 50 & 51 Vict. c. 35.
(c) S.R. & O. Rev. 1904, VI, Justiciary, High Court of S., p. 6.
(d) S.R. & O. Rev. 1904. VI, Justiciary, High Court of, S., p. 10.
(e) S.R. & O. 1909 (No. 671) p. 469.