SESSION, COURT OF, SCOTLAND

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1. FEES

Act of Sederunt (Fees of Messengers at Arms) 1949

1949 No. 345 (S. 18)

Made - - - - 3rd *March*, 1949
Coming into Operation 7th *March*, 1949

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 do hereby, with the concurrence of the Lord Lyon King of Arms, enact as follows:

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

2. The provisions of the Codifying Act of Sederunt, 1913(**c**), Book A, Chapter IX, section 4 as amended, of the Act of Sederunt dated 5th November, 1926(**d**), as amended, and of all other Acts of Sederunt relating to the fees of Messengers at Arms are hereby repealed.

3. This Act of Sederunt may be cited as the Act of Sederunt (Fees of Messengers at Arms) 1949 and shall come into operation on the 7th day of March, 1949.

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

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

Edinburgh.
3rd March, 1949.

SCHEDULE

TABLE OF FEES FOR MESSENGERS-AT-ARMS

	Fee £ s. d.
Executing Summons, including Delivery Copy, Writing Citation and Executing and returning same	0 7 6
If more than one Defender—and in the same dwelling-house ..	0 4 0
If in separate dwelling-houses—each other copy	0 5 0
If furth of the Kingdom—First copy	0 7 6
If furth of the Kingdom—Each other copy	0 4 0
Executing Charge on Extract Decree, Protest, Letters of Horning, Bond and other Diligence, and framing any of the above, each copy	0 10 6
Executing Arrestments on Summonses, Letters of Arrestment, Decrees, and other Diligence	0 10 6
Executing Inhibitions—	
First copy to the party	1 1 0
Each other copy to parties	0 10 6
Citing each Witness	0 5 3

(**a**) 16 & 17 Geo. 5. c. 16.
(**b**) 23 & 24 Geo. 5. c. 41.
(**c**) S.R. & O. 1913 (No. 638) p. 2013.
(**d**) S.R. & O. 1926 (No. 1394) p. 1221.

	Fee £ s. d.
In addition to the above charges, when Schedule and also Execution exceeds 300 words, then for every additional 300 words or part thereof	0 2 0
Searching for, apprehending and imprisoning a debtor	2 2 0
Each assistant	0 7 6
Taking prisoner from Prison to Court-House for examination	1 1 0
Detention with Debtor with a view to settlement or in carrying him to prison—	
For the first hour—Messenger	0 7 6
For the first hour—Assistant	0 3 6
Each additional hour or part thereof—	
Messenger	0 7 6
Assistant	0 3 6
Arresting Vessels of every Class and Description	2 2 0
Each Assistant	0 3 6
Dismantling Vessels lying in harbour, besides Assistants, Carpenters, Engineers, and Sailors, when necessary	2 10 0
POINDINGS.	
Where the appraised value does not exceed £10	0 15 0
Exceeds £10 but does not exceed £20	1 5 0
Exceeds £20 but does not exceed £30	1 10 0
Exceeds £30 but does not exceed £50	2 7 3
Exceeds £50 but does not exceed £70	2 10 0
Exceeds £70 but does not exceed £100	3 3 0
Exceeds £100 but does not exceed £150	4 4 0
Exceeds £150 but does not exceed £200	5 5 0
Exceeds £200 then at the rate of £1 1s. for each additional £50 or part thereof.	
EACH APPRAISER.	
Where the appraised value does not exceed £10	0 4 0
Exceeds £10 but does not exceed £20	0 5 0
Exceeds £20 but does not exceed £30	0 7 0
Exceeds £30 but does not exceed £50	0 8 0
Exceeds £50 but does not exceed £70	0 10 0
Exceeds £70 but does not exceed £100	0 12 0
Exceeds £100 but does not exceed £150	0 14 0
Exceeds £150 but does not exceed £200	0 15 0
Exceeds £200 then at the rate of 8s. for each additional £50 or part thereof.	
Extending Schedule and Execution, per sheet	0 2 0
TRAVELLING.	
Each mile or part thereof from	
Messenger's Office—Messenger	0 2 3
Assistants or Witnesses, each	0 1 6
MISCELLANEOUS.	
Writing necessary letters to employers remitting money recovered, reporting state of diligence, etc.	0 3 0
SALES.	
As in Table of Fees for Sheriff Officers.	

EXPLANATORY NOTE

(This Note is not part of the Act of Sederunt, but is intended to indicate its general purport.)

This Act of Sederunt repeals all existing Acts of Sederunt relating to the fees exigible by Messengers at Arms in civil business and prescribes a new table of fees.