1960 No. 691 (S. 28)

Act of Sederunt (Fees of Messengers at Arms), 1960

Made - - - - 22*nd March*, 1960
Coming into Operation 1*st April*, 1960

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**), 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. From and after the 1st day of April, 1960, the fees in civil business exigible by Messengers at Arms shall be those prescribed in the Schedule hereto.

2. From and after the 1st day of April, 1960, the fees prescribed in the Schedule to the Act of Sederunt (Fees of Messengers at Arms) 1949, dated 3rd March, 1949(**c**), shall no longer apply.

3. This Act of Sederunt may be cited as the Act of Sederunt (Fees of Messenger at Arms), 1960, and shall come into operation on the 1st day of April, 1960.

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

J. L. Clyde,
I.P.D.

Edinburgh,
22nd March, 1960.

SCHEDULE

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

	Fee £	s.	d.
Executing Summonses, including Delivery Copy, Writing Citation and Execution and returning same	0	10	6
If more than one Defender—and in the same dwelling house	0	5	0
If in separate dwelling houses—each other copy	0	7	6
If furth of the Kingdom—first copy	0	10	6
If furth of the Kingdom—each other copy	0	5	0
Executing Charge on Extract Decree, Protest, Letters of Horning Bond and other Diligence, and framing any of the above, each copy	0	15	0
Executing Arrestments on Summonses, Letters of Arrestment, Decrees and other diligence	0	15	0
Executing Inhibitions—First copy	1	10	6
Each other copy to parties	0	15	0
Citing each Witness	0	10	6
In addition to the above charges, when Schedule and also Execution exceeds 300 words, then for every additional 300 words or part thereof	0	3	6
Searching for, apprehending and imprisoning a debtor	3	3	0
Each assistant	0	10	6

(**a**) 16 & 17 Geo. 5. c. 16. (**b**) 23 & 24 Geo. 5. c. 41.
(**c**) S.I. 1949/345 (1949 I, p. 3956).

	Fee £ s. d.
Taking prisoner from Prison to Court-House for examination ...	2 2 0
Detention with Debtor with a view to settlement or in carrying him to prison—	
For the first hour—Messenger	0 10 6
For the first hour—Assistant	0 5 0
Each additional hour or part thereof—	
Messenger	0 10 6
Assistant	0 5 0
Arresting vessels of every class and description	3 3 0
Each assistant	0 5 0
Dismantling Vessels lying in harbour, besides Assistants, carpenters, Engineers and Sailors when necessary	4 4 0
POINDINGS	
Where the appraised value does not exceed £10	1 1 0
Exceeds £10 but does not exceed £20	1 10 6
Exceeds £20 but does not exceed £30	1 17 6
Exceeds £30 but does not exceed £50	2 17 6
Exceeds £50 but does not exceed £70	3 2 6
Exceeds £70 but does not exceed £100	3 17 6
Exceeds £100 but does not exceed £150	5 5 0
Exceeds £150 but does not exceed £200	6 6 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 5 0
Exceeds £10 but does not exceed £20	0 6 0
Exceeds £20 but does not exceed £30	0 7 0
Exceeds £30 but does not exceed £50	0 10 0
Exceeds £50 but does not exceed £70	0 12 6
Exceeds £70 but does not exceed £100	0 15 0
Exceeds £100 but does not exceed £150	0 17 6
Exceeds £150 but does not exceed £200	1 0 0
Exceeds £200 then at the rate of 8s. for each additional £50 or part thereof	
Extending Schedule and Execution, per sheet	0 3 6
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 6
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 prescribes a new Table of Fees exigible by Messengers at Arms in civil business.